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THE TERRORIST THREAT: IMPLICATIONS FOR HOMELAND SECURITY

by

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March 2008

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Since 9/11, the United States implemented radical changes to its counterterrorism strategy and capabilities. Recently, critics have called into question the current strategy for fighting a war on terror. This thesis provides a summary of the two most common competing criticisms of the U.S. counterterrorism strategy. On the one hand, critics argue that the threat has been exaggerated. On the opposite side of the spectrum, critics argue that we are engaged in a war between Islam and the West. An examination of the evidence used by these competing criticisms, combined with a review of existing U.S. strategies, provides a foundation for the construction of an appropriate response to terrorism.

This review reveals evidence that the threat should be evaluated differently for domestic and international counterterrorist threats. Internationally, the U.S. engaged in a battle with a radical Islamic insurgency. Domestically, the terrorist threat is made up of terrorist operators who are engaged in a wide variety of criminal activity. Although the U.S. is unprepared for the external threat posed by radical Islamic insurgents, the post–9/11 enhancements to homeland security are appropriate to meet the current domestic threat.

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THE TERRORIST THREAT: IMPLICATIONS FOR HOMELAND SECURITY

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ABSTRACT

Since 9/11, the United States implemented radical changes to its counterterrorism strategy and capabilities. Recently, critics have called into question the current strategy for fighting a war on terror. This thesis provides a summary of the two most common competing criticisms of the U.S. counterterrorism strategy. On the one hand, critics argue that the threat has been exaggerated. On the opposite side of the spectrum, critics argue that we are engaged in a war between Islam and the West. An examination of the evidence used by these competing criticisms, combined with a review of existing U.S. strategies, provides a foundation for the construction of an appropriate response to terrorism.

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I.   INTRODUCTION

A.   RESEARCH QUESTIONS

What are the competing views of the terrorist threat to the United States? What evidence is used to support those views? What are the policy implications of the various perspectives?

B.   PROBLEM STATEMENT

For decades, the United States has struggled to categorize the actual threat posed by terrorism. On September 11, 2001, the U.S. determined the threat was real and significant. As a result of the attacks, the U.S. government declared a "War on Terror." During the past six years, the U.S. government has implemented radical policy changes to confront and prepare for terrorist attacks. These changes included initiating foreign wars in Iraq and Afghanistan, and implementing institutional changes within the U.S. domestic intelligence, law enforcement and emergency response communities. Since these changes were instituted, the U.S. has not experienced a significant domestic terrorist attack.

Recently, public debate has called into question the validity of the U.S. government's evaluation of the terrorist threat. All sides of the debate agree that the threat is real; however, they disagree about the actual threat level and the policy implications of the threat. This debate can be broadly placed into two main categories: those who believe the threat has been exaggerated and those who believe we are still unprepared to deal with the threat.

On one side, critics believe the U.S. government has exaggerated the actual threat to America. As a result, the critics charge that the U.S. has overreacted with its response to terrorism. This group argues that our current solutions to terrorism may be more harmful to the U.S. than are the terrorists themselves.

On the other hand, a group of critics believes the U.S. is engaged in a worldwide battle between democracy and radical Islam. This group believes that, in effect, we are involved in a "clash of civilizations" — a battle for the survival of our current way of life. This group argues that the U.S. has failed to adequately prepare itself for this confrontation. As a result, our current strategy leaves us vulnerable.

Regardless of their assertions, both sides believe the U.S. has inappropriately responded to the terrorist threat. Both groups rely on a wide variety of evidence to support their assertions. An examination of this evidence should assist the U.S. in developing an appropriate response to terrorism.

C.   ARGUMENT

For decades, the U.S. has been forced to deal with a wide variety of terrorist threats. These threats included, but were not limited to, white supremacist groups, Puerto Rican separatists and radical Islamic organizations. Recognizing the differences in each threat, the U.S. utilized multiple counterterrorist techniques, operations and strategies to contain these threats. Through this process, the U.S. learned that what worked against white supremacist groups might not work against animal rights extremists. On September 11, 2001, the rules for fighting terrorism changed again.

Immediately after the attacks, the U.S. focused all of its energy into the identification of the perpetrators of the attacks and the prevention of further attacks. To address the threat, the U.S. implemented radical changes to confront and prepare for terrorist attacks. These changes were consolidated into a "War on Terror." As a result of the "War on Terror," the U.S. initiated two foreign wars and instituted revolutionary changes to the U.S. Intelligence Community and other federal government organizations.

Lately, critics have argued that the "War on Terror" is an inadequate response to the threat we face. These criticisms focus on the terrorists' ability to conduct attacks in the U.S. and the U.S.'s ability to identify and neutralize those threats.

These critics can be placed into two main categories. One group believes that the threat has been exaggerated. These critics point to a lack of evidence that documents the

terrorist threat. They cite that the U.S. has not identified any terrorist "sleeper cells" within the United States. Furthermore, they argue that the U.S. has not had a significant terrorist attack since the fall of 2001. Despite this lack of evidence, the U.S. has devoted a disproportionate amount of resources into combating a limited threat. Some of these changes include the Federal Bureau of Investigation's shift in its primary focus from law enforcement to intelligence, the U.S. creation of the Department of Homeland Security (DHS) and the Office of the Director of National Intelligence (ODNI).

On the state and local level, each state has appointed a homeland security advisor. These homeland security advisors are supported by over forty homeland security fusion centers. These centers very in scope and mission; however, each fusion center was designed to support a perceived lack of threat-related intelligence. These critics argue that, in general, we have wasted our time and money on most homeland security enhancements.

The second group believes the U.S. is engaged in a worldwide battle between democracy and radical Islam. This confrontation is a "clash of civilizations." This group argues that the U.S. is not doing enough to prepare itself for this confrontation. These critics argue that a political and philosophical vacuum was created after the end of the Cold War. They believe this vacuum has been filled by a renewed cultural resurgence. These cultural identifications can be grouped into various civilizations. A clash between two of these civilizations, Western and Islamic, has resulted in our current battles against radical Islamic terrorism. They believe we currently face a battle for our very existence. They argue that we are at a significant disadvantage. They argue that our democratic principles inhibit our ability to identify and confront the threat. Consequently, they argue that we must radically alter the way in which we confront this threat. They believe that there is no room for compromise. Radical Islamic terrorists will not stop until our culture is destroyed and/or subjugated to an Islamic Caliphate.

Regardless of their criticisms, both sides agree that a terrorist threat exists and that the U.S. is not adequately protecting its citizens. An evaluation of both arguments, and their supporting evidence, indicates that both groups believe domestic counterterrorism operations have negligible impact on the overall terrorist threat. Proponents of the

overblown theory argue that there is an extremely limited domestic threat, while advocates of a "Clash of Civilization" model believe the threat, and their solutions, exist outside of the U.S. Consequently, an effective U.S. counterterrorism strategy should reflect these beliefs. Both critics agree that the U.S., as a society and a civilization, will not be destroyed by 9/11-style attacks. As a result, it is imperative that we design a strategy does not incorporate actions that could diminish our society's core beliefs.

A new strategy would acknowledge that, regardless of our counterterrorism efforts, the U.S. is vulnerable to terrorist attacks and that these threats originate from outside of the U.S. As a result, most of our counterterrorist efforts should focus on the overseas detection, prevention and disruption of terrorist threats. Domestically, the U.S. should limit its counterterrorism efforts to mechanisms that support internationally identified terrorist threats. Prevention operations should be clearly linked to established and documented threats. As currently designed, our domestic counterterrorism operations are designed to minimize our vulnerability. Regardless of the threat, the U.S., unfortunately, will remain vulnerable to terrorism. Vulnerability will never be an accurate measure of success against terrorism. Consequently, a vulnerability-based counterterrorism strategy is ultimately un-winnable. Only through this acceptance, will the U.S. be able to design a more productive counterterrorism strategy.

D. METHODOLOGY

For decades, the United States has continually questioned its assessment of the threat posed by terrorist organizations. With the attacks on 9/11, the U.S. view of the threat was significantly altered. To confront the perceived threat, the U.S. drastically altered its counterterrorism strategies and capabilities. Since the implementation of these changes, many critics have called into question effectiveness of these changes. This thesis focused on a review of two prevalent criticisms: first, the threat has been exaggerated; second, the threat has been understated. Regardless of the evaluation of the threat, both groups of critics believe the current U.S. counterterrorism strategy is inappropriate.

In drafting the thesis, the author focused on interviews of current and former international, federal, state and local law enforcement and intelligence executives, analysts and agents. These interviews were undertaken to establish their perceptions of the current threat environment posed by radical Islamic terrorists. These interviews were conducted with over twenty employees within the Department of Homeland Security, the Federal Bureau of Investigation, the Central Intelligence Agency, the National Counterterrorism Center, the Office of the National Intelligence Director, the Department of Defense, state and local law enforcement and foreign liaison intelligence and security services. The individuals interviewed included a combination of operational, intelligence and policy-level executives. The expansive variety of interviewees allowed the author to develop an extensive review of counterterrorism perspectives. Special emphasis was placed on the current threat posed by radical Islamic terrorists and the effectiveness of current U.S. counterterrorism strategies as applied by counterterrorism professionals. During the interviews, the author solicited the interviewees' current viewpoints and recommendations for improving U.S. counterterrorism operations.

Research and study also included an analytical review of congressional testimony, public statements of domestic and international counterterrorism community stakeholders, and detailed analysis of various written and electronic media, including magazine and newspaper accounts, various periodicals and books, published studies, monographs and reports, and review of unclassified, internal government documents. Specific research included a review of national- and state-level counterterrorism strategic and operational documents.

The literature review included a analysis of the Presidential Directive 39, the 1996 Report from the Commission on the Roles and Capabilities of the United States Intelligence Community, the 2002 National Strategy for Homeland Security, the 9/11 Commission Report, the 2003 National Strategy for Combating Terrorism, the report from the Commission on Terrorist Attacks Upon the United States Regarding Weapons of Mass Destruction, the Intelligence Reform and Prevention Act of 2004, the 2005 National Intelligence Strategy of the United States, the 2006 National Strategy for Combating Terrorism, the 2007 National Security Strategy for Homeland Security, the

2007 National Intelligence Estimate on the Terrorist Threat, the Department of Homeland Security Strategy, the Federal Bureau of Investigation Strategic Plan 2004-2009, the New Jersey State Police Practical Guide to Intelligence-led Policing, and the New York Police Department's "Radicalization in the West." These documents provided a foundation for most national counterterrorism operations. The literature review also included a review of prevalent criticisms of our current counterterrorism strategy. This included statements, testimony, articles, and books by Michael Chertoff, Bernard Lewis, George W. Bush, George H. W. Bush, Samuel P. Huntington, Tony Blankley, Michael Scheuer, Charles E. Allen, John Mueller, Edward Lustick, Eliza Manningham-Buller, Zbigniew Brzezinski and William Jefferson Clinton.

This thesis was also shaped by the author's experiences as a police officer with the U.S. Park Police and as a Special Agent with the U.S. Secret Service and the Federal Bureau of Investigation. For over sixteen years, the author has served in several counterterrorism-related positions within these organizations. These positions ranged from a patrol officer, a Special Agent on a Joint Terrorism Task Force, a Supervisory Special Agent in the FBI's Counterterrorism Division and his current position as the FBI's Senior Liaison Officer to the Department of Homeland Security. These positions have provided the author with a unique view of the growth and application of the U.S. counterterrorism strategy.

In the thesis, I conducted a policy options analysis of U.S. domestic counterterrorism strategies. This policy option analysis begins with an exploratory study of commonly held beliefs regarding the terrorist threat to the United States. This was accomplished through a review of existing research. This review included an extensive literature review combined with interviews of individuals who are currently, or have been in the past, involved in the development and/or management of strategic level domestic counterterrorism operations and initiatives.

I compared the following strategies:

1.   The current domestic counterterrorism strategy as it is reflected in existing domestic operations of the Federal Bureau of Investigation, the Department of Homeland Security, the Department of Defense, the Central Intelligence Agency and the Office of the Director of National Intelligence.

2.   A domestic counterterrorism strategy that incorporates the suggestions of proponents who believe the terrorist threat has been exaggerated.

3.   A domestic counterterrorism strategy that incorporates the suggestions of proponents of the "clash of civilization" model of terrorism.

4.   A domestic counterterrorism strategy that reflects a synthesis of solutions proposed by critics who advocate the battle is a "clash of civilization" and those who believe the threat has been exaggerated.

E.   LIMITS AND SIGNIFICANCE

1.   Limits

The U.S. government's response to the attacks of 9/11 has come under significant public scrutiny. To date, most literature on this topic provides a focused evaluation of select criticisms. Comparisons are utilized only to strengthen one's position, as opposed to identifying common goals or solutions. Much of the current literature focuses on the underlying politics associated with domestic counterterrorism strategies and not factual assessments. On the whole, these documents provide a wide variety of criticisms with limited practical policy applications.

Because of the classified nature of most counterterrorism threat assessments, I was forced to rely exclusively on open source documents. This limited the scope and depth of the terrorist threat assessments discussed in the thesis. All of the interviews conducted for this thesis were documented at an unclassified level. Although limiting, I believe the open source documents and assessments utilized in this thesis provided an appropriate foundation for the discussion of the current U.S. counterterrorism strategy.

2.   Future Research Efforts

This thesis will provide future researchers with a platform to evaluate the current threat posed by radical Islamic terrorists. The thesis concludes that the United States is engaged in two separate conflicts. Domestically, the U.S. is prepared for the domestic threat. Internationally, the U.S. is engaged in a battle with a radical Islamic insurgency. The thesis provides a synthesis of counterterrorism and counterinsurgency theories as they relate to homeland security.   This thesis incorporates counterinsurgency theories

which, to date, have had limited discussion in the homeland security community. The synthesis of counterterrorism and counterinsurgency will, hopefully, provide homeland security policymakers with a framework in which they can develop a counterterrorism strategy that will is appropriate to the current threat posed by radical Islamic terrorists.

3.   Immediate Consumer

The purpose of this thesis is to provide executive federal, state and local leaders with policy recommendations for protecting the United States. These recommendations need to be based upon an accurate evaluation of the current threat posed by radical Islamic terrorists. This threat evaluation will allow counterterrorism professionals to design an appropriate strategy to counteract that threat. It is also designed to initiate a dialogue among homeland security professionals regarding the actual threat to the U.S. homeland posed by radical Islamic terrorists. It is essential that the homeland security community acknowledge and address the practical application of our current strategies. This thesis will provide homeland security professionals with a proposal for dealing with the actual threat. The recommendations brought forward in this thesis are based on a synthesis of the evidence utilized in the most prevalent criticisms of the current U.S. counterterrorism strategy.

F.   ROAD MAP

Chapter II – A Clash of Civilizations

Chapter II provides an overview of the current criticisms of the U.S. counterterrorism strategy that believe that the West is engaged in a clash of civilizations against Islam. Specifically, it provides a dire warning for our failure to correctly identify the current threat posed by radical Islamic terrorists.

Chapter III – An Exaggerated Threat

Chapter III provides an overview of the current criticism of the U.S. counterterrorism strategy from those who believe the threat to the U.S. posed by radical Islamic terrorists has been exaggerated. As a result of this exaggeration, the U.S. has overemphasized homeland security at the expense of other national priorities.

Chapter IV – The Current National Strategy

Chapter IV provides a synopsis of current U.S. counterterrorist strategies. This summary provides a foundation on which to evaluate and build a more appropriate national counterterrorism strategy.

Chapter V – The Current Threat

Chapter V builds upon previous chapters to provide an assessment of the current threat posed by radical Islamic terrorists. This chapter separates the threat into two categories: threat to the U.S. homeland by terrorists located in the U.S. and threats to the U.S. and its interests from radical Islamic terrorists located outside of the U.S.

Chapter VI – The True Conflict: A Radical Islamic Insurgency

Chapter VI redefines the threat as a radical Islamic insurgency. The threat posed by this group originates from insurgents based outside of the U.S. In order to meet this threat, the U.S. must develop an appropriate counterinsurgency strategy. Domestically, the U.S. is not engaged in a counterinsurgency. The domestic threat to the U.S. is made up of stereotypical terrorist operatives. Since 9/11, the changes within the homeland security community have been successfully enhanced to meet this challenge. As result, domestic U.S. counterterrorism operations should begin to focus on the utilization of these enhanced capabilities to support law enforcement and intelligence agencies.

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II.   A CLASH OF CIVILIZATIONS

America is at war with terrorist enemies who are intent on attacking our Homeland and destroying our way of life[1]

— President George W. Bush

They will stop at nothing to destroy our way of life, and we, on the other hand, we stop at nothing to defend it[2]

— Secretary Tom Ridge, U.S. Department of Homeland Security

Since the attacks of September 11, 2001, the U.S. has been engaged in a global War on Terror. During a September 20, 2001, address to a joint session of Congress and the American people, President Bush declared, "Our War on Terror begins with al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated."[3]   Since that address, the U.S. has, unfortunately, failed to provide the necessary guidance and resources to support the identification and disruption of all globally active terrorist organizations. Contrary to the rhetoric, the U.S. needs to recognize that the War on Terror is a generational struggle between civilizations. The U.S. needs to realign its national priorities to confront this overwhelming threat. Many supporters believe this should resemble or supersede our response to the Cold War.

Ironically, this concept predates the collapse of the Soviet Union. In 1990, one of the world's leading experts on the Middle East, Bernard Lewis, wrote an article for the *Atlantic Monthly* titled, "The Roots of Muslim Rage*."[4]* In the article, Lewis outlined a

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[1] Homeland Security Council, *National Strategy for Homeland Security* (Washington, DC, October 2007).

[2] United States Department of Homeland Security, *Securing Our Homeland: U.S. Department of Homeland Security* (Washington, DC, 2004) preface.

[3] George W. Bush, *Address to a Joint Session of Congress and the American People* (Washington DC, September 20, 2001) http://www.whitehouse.gov/news/releases/2001/09/20010920-8.html [Accessed December 2, 2001.]

[4] Bernard Lewis, "The Roots of Muslim Rage," *Atlantic Monthly* (September 1990): 18.

basis for the developing Islamic threat. Lewis described the Muslim view of the world as divided into two spheres: the "House of Islam" and the "House of Unbelief."[5] As Western influence in the Middle East grew; the Muslim world began to view Westernization as religious imperialism. As a result, many Muslims began to transform nationalist movements into anti-Western movements. Lewis described this development as a "Clash of Civilizations."[6] Lewis warned that the West must be cognizant of this developing threat. In particular, the West must avoid involvement, or perceived involvement, in religious wars.[7]

Unfortunately, the West did not pay heed to Bernard Lewis's warnings. After the collapse of the Soviet Union and the end of the Cold War, the U.S. focused on the reduction and realignment of its military and intelligence structures. In what has been described as the "peace dividend," on January 28, 1992, in his State of the Union address, President George H. W. Bush proclaimed:

> Two years ago, I began planning cuts in military spending that reflected the changes of the new era. But now, this year, with imperial communism gone, that process can be accelerated. Tonight I can tell you of dramatic changes in our strategic nuclear force. These are actions we are taking on our own because they are the right thing to do. After completing 20 planes for which we have begun procurement, we will shut down further production of the B - 2 bombers. We will cancel the small ICBM program. We will cease production of new warheads for our sea-based ballistic missiles. We will stop all new production of the Peacekeeper missile. And we will not purchase any more advanced cruise missiles.[8]

Although the reduction in these Cold War-era military systems was appropriate, President H. W. Bush acknowledged that the peace would not last forever when he said,

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[5] Lewis, "The Roots of Muslim Rage," 18.

[6] Ibid., 21–22.

[7] Ibid., 26.

[8] George H. W. Bush, *State of the Union Address* (Washington, DC, January 28, 1992) http://www.c-span.org/executive/transcript.asp?cat=current_event&code=bush_admin&year=1992 (Accessed November 12, 2007).

And though yesterday's challenges are behind us, tomorrow's are being born...By 1997, we will have cut defense by 30 percent since I took office. These cuts are deep, and you must know my resolve: This deep, and no deeper. To do less would be insensible to progress, but to do more would be ignorant of history. We must not go back to the days of "the hollow army." We cannot repeat the mistakes made twice in this century when armistice was followed by recklessness and defense was purged as if the world were permanently safe.[9]

The significant reductions in defense spending, unfortunately, did not allow for the identification of the looming enemy, nor did it take into account the possibility of an enemy that did not resemble the U.S.S.R.

With the collapse of the U.S.S.R., Congress recognized the need to evaluate the Intelligence Community's mission and effectiveness. In October 1994, Congress established an independent Commission on the Roles and Capabilities of the United States Intelligence Community (Aspin-Brown Commission on Intelligence).[10] The Commission, chaired by Les Aspin, Harold Brown and Warren B. Rudman, issued its report, *Preparing for the 21st Century: An Appraisal of U.S. Intelligence,* in 1996. The report outlined significant deficiencies in the collection, analysis and management of intelligence across multiple agencies. Many of these criticisms would, unfortunately, be echoed by several post-9/11 intelligence reviews. In particular, the Aspin-Brown Commission determined that U.S. intelligence agencies appeared to be searching for, "reasons to justify their existence."[11] As a result, the Intelligence Community expanded its original targets to include counter-narcotics, economic espionage and environmental issues. Many critics of the Intelligence Community began to question the very existence of these organizations. At a minimum, the altered role of the intelligence agencies required a continued influx of significant financial support. This became a controversial proposal. At this point in time, many people in the U.S. were expecting a significant financial reduction in federal spending. This reduction was often referred to as a peace

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[9] Bush, *State of the Union Address.*

[10] Commission on the Roles and Capabilities of the United States Intelligence Community, *Preparing for the 21st Century: An Appraisal of U.S. Intelligence* (Washington DC, March 1, 1996) http://www.fas.org/irp/offdocs/report.html [Accessed November 12, 2007].

[11] Ibid.

dividend. Despite the peace dividend, the Intelligence Community demanded significant monetary support. In comparison to the Defense Budget (minus intelligence spending), the overall Intelligence Budget had a significant increase since from 1980 to its projected 1995 budget.[12]
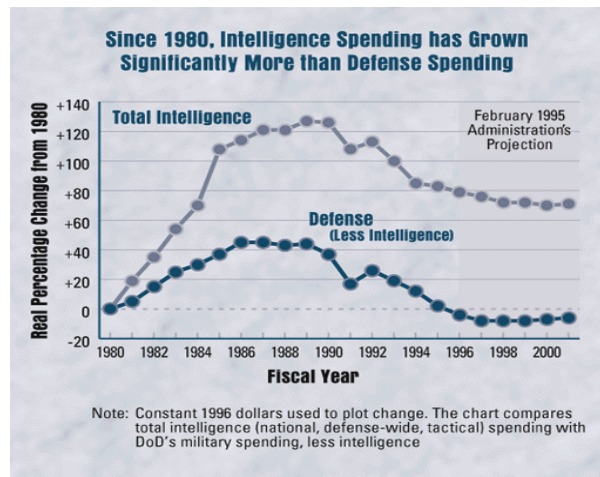
Figure 1.   Intelligence Spending vs. Defense Spending since 1980 (from [13])

Regardless of the U.S. Intelligence and Defense Community's priorities, most agreed that the U.S. continued to face significant threats. Many individuals inside and outside the government predicted the most significant threat would originate from the Middle East. In the summer 1993 issue of *Foreign Affairs* journal, the concept of a Clash of Civilizations was expounded upon in the seminal article by Samuel P. Huntington in "The Clash of Civilizations?"   The article explored Huntington's belief that an individual's ethnicity significantly influences his or her political interactions.[14]

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[12] Commission on the Roles and Capabilities of the United States Intelligence Community, *Preparing for the 21st Century: An Appraisal of U.S. Intelligence*.

[13] Ibid.

[14] Samuel P. Huntington, "A Clash of Civilizations," *Foreign Affairs* (New York, Summer 1993) http://www.foreignaffairs.org/19930601faessay5188/samuel-p-huntington/the-clash-of-civilizations.html [Accessed November 10, 2007].

Due, in part, to an overwhelming response, Huntington expanded upon the concept of the Clash of Civilizations in his 1996 book, *The Clash of Civilizations and the Remaking of World Order.*[15] Huntington believed that an individual's ethnicity determines their political interactions at a local level.[16] In turn, these relationships define a country and ultimately a civilization. As defined by Huntington, the most significant component of a civilization is an individual's religion. Most of the world's civilizations are formed around the largest religions: Sinic, Japanese, Hindu, Islamic and Orthodox. The remaining civilizations, Western, Latin American and possibly African, incorporate the religious values of some of the other civilizations.[17]

Huntington argues that we have undergone two phases of civilization and are entering the third. During the first phase, prior to 1500 A.D., which he called the "Encounter Phase," most civilizations had limited contact with one another. During the second "Impact Phase," 84 percent of the world was suborned to the West. Huntington argues that the "Rise of the West" was a result of violence, not ideas. We are currently entering the third "Interactions Phase." This phase focuses on the end of Western expansionism and a revolt against Western ideas.[18] During this phase, Huntington argues that the world's civilizations have two choices, modernization and/or Westernization. Westernization involves the integration of Western ideals and values into a civilization. Modernization involves the acceptance of the technological advances. Civilizations can reject both, or choose one without the other.[19] Huntington believes most of the world has chosen to become, "more modern and less Western."[20]

In a quest to become more modern, many populations are being uprooted from their traditional environments. Religion can "provide meaning and direction…(to)

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[15] Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon and Schuster Paperbacks, 1996), 2.

[16] Ibid., 22.

[17] Ibid., 42, 45.

[18] Ibid., 48, 51–54.

[19] Ibid., 72.

[20] Ibid., 78.

modernizing societies."[21]   This includes the Islamic civilization.   Huntington portrays the current Islamic resurgence as the equivalent of the Protestant Reformation.[22]   He states that Islam rejects modernization, not Westernization; however, radical Islamic fundamentalists reject both.[23]   Huntington cautions that religious opponents are far more difficult to deal with than secular opponents.   In all societies, religious opposition has inherent places of shelter in their places of worship and institutions.[24]

On September 11, 2001, the seemingly academic debate over the relevance of a "Clash of Civilizations" came to an abrupt and deadly conclusion with the attacks on New York and the Pentagon. In the aftermath of the attacks, the U.S. began to examine the cause and status of its new adversaries. Many individuals found it hard to fathom that the U.S. was unaware and ill prepared to confront the threat of radical Islam. To prepare itself for this new war, the U.S. instituted significant reforms in its defense, intelligence and homeland security programs. Of note, the U.S. created the Department of Homeland Security, the Office of the Director of National Intelligence, the National Counterterrorism Center, and underwent a transformation of the Federal Bureau of Investigation's mission from law enforcement to intelligence.   At the time, many observers believed these changes adequately prepared us for the "War on Terror." Regrettably, they appear to have only illuminated our continued vulnerabilities.

These institutional changes, while bureaucratically significant, have not altered our enemies' framework or lessoned their desire to destroy us. In *The West's Last Chance, Washington Times* senior editor Tony Blankley argues that the West is engaged in a battle where the "threat is every bit as great…as was the threat of the Nazis taking over Europe in the 1940s."[25]   Blankley argues that the threat is not limited to radical Islamic extremists, but includes all Muslims.[26] Blankley writes that Islam dictates what

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[21] Huntington, *The Clash of Civilizations*. 101.

[22] Ibid., 109, 111.

[23] Ibid., 72, 101.

[24] Ibid., 115.

[25] Tony Blankley, *The West's Last Chance* (Washington, DC: Regenery Publishing, Inc., 2005), 2.

[26] Ibid., 23.

Muslims should say and do. He believes these commandments are totally incompatible with the Western way of life. Ultimately, these discrepancies will force Muslim's to confront the Western societies in which they live. Blankley believes that the Islamic Diaspora is becoming increasingly assertive in their religious and cultural beliefs. In effect, they are engaged in an "Islamist insurgency" against the West. He feels we must "monitor and contain" this assertiveness.[27] Blankley writes, "They are ahead of us, behind us and within us."[28] As a result of this hidden enemy, Blankley believes our current policies are inadequate to counter the threat.

To confront the threat, Blankley argues that the U.S. should obtain congressional authority to declare war against radical Islam; though he says even this might not be enough. [29] Blankley argues the U.S. may need to seek Constitutional Amendments to in order to provide the government with the necessary authorities to confront this threat.[30] Blankley outlines some of the United States' historically controversial wartime uses of power. Specifically, the internment of Japanese Americans during World War II, sedition, restriction of free speech, internal propaganda, and censorship may ultimately be necessary to confront this threat.[31] Regardless of our decisions, Blankley believes disengagement or negotiation is not an option. We need to fight or be assimilated into a worldwide Islamic Caliphate.

In 2004, in an attempt to illustrate our continued vulnerabilities, Michael Scheuer, the former head of the Central Intelligence Agency Intelligence Agency's Usama Bin Ladin unit (Alex Station), published *Imperial Hubris*.[32] *Imperial Hubris* offered a critical assessment of the current U.S. counterterrorism strategy. It offered robust solutions needed to defeat radical Islam.

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[27] Blankley, *The West's Last Chance,* 24–25.

[28] Ibid., 29.

[29] Ibid., 30.

[30] Ibid., 31.

[31] Ibid., 114.

[32] Michael Scheuer, *Imperial Hubris* (New York, April 2004).

Scheuer argues that al Qaeda is not a terrorist group, but a worldwide insurgent organization.[33] This significant difference, in Scheurer's opinion, implies a greater threat to the Western world. While terrorism is incapable of defeating the U.S., Scheuer illustrates that no country can consider itself immune from a well-organized internal insurgency. In *Imperial Hubris,* Scheuer provides a concise look at al Qaeda's stated and implied goals and objectives:

1. End U.S. aid to Israel, with the ultimate destruction of Israel;

2. Remove U.S. forces from the Arabian Peninsula, Iraq, Afghanistan and all Muslim Nations;

3. End U.S. support for oppressive regimes in Russia, China and India;

4. End apostate Muslim regimes; and

5. Conserve oil in order to raise oil prices.[34]

Contrary to repeated statement by U.S. government leaders, Scheuer documented that al Qaeda's goals are not a reaction to Western values, but are a result of U.S. policies.[35]   In order to accomplish its goals, al Qaeda focused on developing and training its members and associates. The goal of this training was to create an army of insurgent fighters, not terrorists. These fighters would be used for direct action against al Qaeda's enemies, but they would also serve as the al Qaeda worldwide network.[36]   This cadre would be used to develop and train fighters who were sympathetic to al Qaeda's goals and objectives. Contrary to the popular belief, terrorism was not the main focus of this training. The training primarily focused on the development of insurgent fighters.[37]

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[33] Scheuer, *Imperial Hubris,* 61.

[34] Ibid., xvii.

[35] Ibid., 167.

[36] Al Qaeda, *The al Qaeda Manual,* United States Department of Justice http://www.google.com/search?hl=en&q=al+qaeda+training+&btnG=Search [Accessed February 2, 2008] 13, 14.

[37] Ibid., 63.

In response to the perceived threat, the U.S. has developed a policy of limited engagement that relies on cooperation between the law enforcement, the military and intelligence agencies.[38]   Scheuer argues that this is ultimately a failed strategy.   The underlying factor surrounding the U.S. failed counterterrorism policy is our inability to view al Qaeda as an insurgent organization and not a terrorist group.[39]   This is a key deficiency in our ability to successfully defeat radical Islamic terrorist.   From 2001 to 2004, Scheuer credits the FBI's disruption of the "Lackawanna Six" as the only domestic U.S. victory.[40] Conversely, he outlines seventy-three worldwide al Qaeda victories.[41] Since then, there have been U.S. arrests in connection to terrorist plots that targeted Fort Dix, New Jersey, and the Sears Tower in Chicago, Illinois.[42]   Internationally, the al Qaeda has conducted successful attacks in Madrid, London and Saudi Arabia.[43]

Scheuer is particularly critical of the domestic U.S. counterterrorism strategy.   He outlines the current policy as one of full cooperation between law enforcement and intelligence.   Scheuer viciously describes this arrangement as "moral cowardness,"[44] saying he believes the cooperation has "dulled" the capabilities of the U.S. Intelligence Community, especially the Central Intelligence Agency (CIA).[45]   Furthermore, he argues that our "law enforcement mentality" has infected our counterterrorism operations and prevented the U.S. military from killing our adversaries.[46]   Scheuer adds that the fixation with maintaining a law enforcement component to the War on Terror has weakened our

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[38] Office of the Director of National Intelligence, *The National Intelligence Strategy of the United States,* Office of the Director of National Intelligence, October 2005. 3–7.

[39] Scheuer, *Imperial Hubris*, 61.

[40] Ibid., 87.

[41]Ibid., 91.

[42] Christine Hauser and Anahad O'Conner, "6 Arrested in Plot to Attack Fort Dix." *The New York Times,* (May 8, 2007) http://www.nytimes.com/2007/05/08/us/08cnd-dix.html?ex=1336276800&en=85a2795016f8037f&ei=5088&partner=rssnyt&emc=rss [Accessed February 2, 2008].

[43] MSNBC, "Al-Qaeda Timeline: Attacks and plots" MSNBC Website, http://www.msnbc.msn.com/id/4677978/ [Accessed February 2, 2008].

[44] Scheuer, *Imperial Hubris*, 190.

[45] Ibid., 187.

[46] Ibid., 186.

enemies' perception of U.S. resolve.[47]   This has had significant overseas repercussions. Overall, he argues, our focus on the rule of law has significantly hampered our ability to destroy al Qaeda and its affiliates.   Scheurer holds particular disdain for the Federal Bureau of Investigation's (FBI) involvement in overseas counterterrorist operations.[48] He believes that the FBI's involvement in overseas intelligence operations is inappropriate against the threat of radical Islam.   The FBI, as a law enforcement entity within the Department of Justice, is required to follow the rule of law.[49]   In evaluating our current counterterrorism posture, Scheurer criticizes the foundations of the U.S. strategy. He believes that al Qaeda is a military enemy, not a criminal organization. As such, the military should play a key role, not law enforcement.   The use of a law enforcement agency, he believes, sends the wrong message to our enemies and allies.

In identifying U.S. vulnerabilities to an al Qaeda threat, Scheurer argues that al Qaeda's main target is the U.S. economy.   Scheuer believes this as our "center of gravity."[50] In this, Scheurer believes that al Qaeda has been extremely successful.[51] We appear to be draining our economy in an effort to confront all possible threats. This is evident in the current policy of responding to all threats. This policy weakens the U.S. while it strengthens al Qaeda. It allows al Qaeda to manipulate U.S. government actions without having to actually engage in a terrorist attack. He believes "frantic activity, ceaseless chatter and loud voices usually signal confusion."[52]   This visibly describes current U.S. counterterrorism strategy. Since the attacks on 9/11, the U.S. has undergone a continual re-engineering of its counterterrorism apparatus. From the creation of the Department of Homeland Security to the development of Fusion Centers, the U.S. has continually strived to design and implement the apparatus that will defeat the continually

[47] MSNBC, "Al-Qaeda Timeline," 189.

[48] Ibid., 191–192.

[49] The Federal Bureau of Investigation, *National Security Branch: Mission and Vision,* http://www.fbi.gov/hq/nsb/nsb_mission.htm *[Accessed February 2, 2008].*

[50] Scheuer, *Imperial Hubris*, 192.

[51] Benjamin Zycher, *A Preliminary Benefit/Cost Framework for Counterterrorism Public Expenditures,* The Rand Corporation, 2003. http://www.rand.org/pubs/monograph_reports/MR1693/ [Accessed February 2, 2008] ix – xi.

[52] Scheuer, *Imperial Hubris*, 239.

changing terrorist threat.   In its first year in existence, DHS issued over thirteen warnings to the homeland security community on the potential terrorist use of: ferryboats, rental vehicles, hydrogen peroxide, helicopters, storage facility's, uniforms and trains.[53]   The continued restructuring and alarmist warnings provide an unstable foundation in which to confront our enemies.

To succeed, Schuerer believes we must fight an all-out war. This war will involve the killing and destruction of al Qaeda and its entire supporting terrorist infrastructure.[54] Scheurer believes this goal should guide our country's counterterrorist response.   He believes our current policies are focused on a limited engagement strategy that relies on military, intelligence and law enforcement entities.   Scheuer believes this tri-lateral organizational system will lead us into defeat because the focus on the rule of law limits the U.S. ability to destroy al Qaeda and its affiliates. In a war, we use solders, not police officers. The use of law enforcement in this war has a limiting effect on the tools and resources the U.S. will bring to the fight. Police agencies must be relegated to their clearly defined role — protection of the citizenry, not war fighting.

Scheurer argues that the U.S. has not established a means to measure the success of its counterterrorism strategy.   The absence of an accurate metric will continue to diminish our ability to design and implement an effective response to the radical Islamist threat.[55]   Our inability to identify the threat, develop a clear strategy and implement suitable tactics by appropriate agencies will continue to cripple our ability to defeat radical Islamic terrorists.

In April of 2007, in response to increasing critiques of the U.S. "War on Terror " strategy, Secretary of Homeland Security Michael Chertoff wrote on Op-ed for the *Washington Post* titled "Make No Mistake: This Is War.*"[56]* In his editorial, Chertoff wrote that we are "at war with a global movement and ideology whose members seek to

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[53] William M. Arkin, *Early Warning: The Pressure Cooker at Homeland Security,* (The Washington Post, 2005) http://blog.washingtonpost.com/earlywarning/2005/09/the_pressure_cooker_at_homelan.html [Accessed February 2, 2008].

[54] Scheuer, *Imperial Hubris*, 241.

[55] Ibid., 68–69.

[56] Michael Chertoff, "Make No Mistake: This Is War," *The Washington Post* (April 22, 2007): B07.

advance totalitarian aims through terrorism." Chertoff believes that the U.S. must recognize that the current threat is comparable to "historical totalitarian ideologies." Chertoff points to Usama Bin Laden and al Qaeda's statements in which they declare war on the United States. He believes the war, which was created by "fanatical Islamist ideologues," can be evaluated by their "intent, capability and consequence."[57] Chertoff writes that radical Islamists have started a war to dominate all countries. He argues that radical Islamists do not differentiate between the military and civilians in this war. He reasons that they intend to cause a massive loss of life as the attempt to disrupt our, "international system of travel and trade."[58] He admits that they may not have the ability to accomplish this goal; however, they do have the ability to gain territory in which they "can train, assemble advanced inhumane weaponry; impose their own vision of repressive law; and dominate local life."[59] If successful by these limited measures, Chertoff believes they maybe able to establish radical "statelets" in Africa, Asia and the Middle East.[60] In examining the potential consequences of this war, Chertoff points out that al Qaeda was able to attack the U.S. with the "most devastating single blow ever visited upon our homeland by a foreign enemy." According to Chertoff, this attack demonstrated that Islamic terrorists have the intent and capabilities that are commensurate with war. Chertoff cites, "threat assessments and other evidence of a militarized and networked foe." In conclusion, he argues, "complacency is a dangerous indulgence in the face of a determined enemy."

In July 2007, the National Intelligence Council issued an unclassified National Intelligence Estimate titled, "The Terrorist Threat to the U.S. Homeland."[61] A National Intelligence Estimate (NIE) is the "Intelligence Community's most authoritative written judgments on national security issues and designed to help U.S. civilian and military

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[57] Chertoff, "Make No Mistake," B07.

[58] Ibid.

[59] Ibid.

[60] Ibid.

[61] National Intelligence Council, "National Intelligence Estimate: The Terrorist Threat to the U.S. Homeland" (Washington, DC, July 2007).

leaders develop policies to protect U.S. national security interests."[62] The NIE advised that the U.S. would face a "persistent and evolving terrorist threat over the next three years." The main threat to the U.S. would be from Islamic terrorists, especially al Qaeda. The NIE assesses that "al Qaeda has protected or regenerated key elements of its homeland attack capabilities." The NIE argues that al Qaeda will "intensify" its efforts to bring its operatives into the U.S. According to the report, al Qaeda will continue to focus its attack planning on "prominent political, economic and infrastructure targets."[63] The goal of these attacks will be to provide innovative, "visually dramatic" destruction, inflict mass casualties and cause significant economic aftershocks. The NIE noted that al Qaeda continues to express a desire to obtain and utilize weapons of mass destruction.[64]

The NIE points to several factors that contribute to al Qaeda's regenerated ability to attack the U.S. Homeland. First, al Qaeda increased its cooperation with regional terrorist groups. In particular, al Qaeda intends to leverage its affiliate, al Qaeda in Iraq (AQI). AQI is the only affiliate that has expressed a desire to attack the U.S. homeland. Al Qaeda hopes that AQI will energize the larger Sunni extremist community.[65]

The NIE also addressed other radical Islamic terrorist organizations that are not directly affiliated with al Qaeda and its associates. In particular, the NIE warns about the growing threat from radical, self-generating cells in Western Europe and the U.S. The NIE believes this possibility is not as significant in the U.S. as it is in Europe.[66]

The NIE believes globalization will challenge current U.S. defensive efforts to confront terrorism. They suggest the U.S. institute a greater understanding of suspect activities at the local level in relation to the strategic threat picture.[67]

The NIE reinforces the need to develop and expanded strategy to thwart the growing threat. The NIE assessment indicates that our current strategy has been

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[62] National Intelligence Council, "National Intelligence Estimate," Preface.

[63] Ibid., 5.

[64] Ibid.

[65] Ibid.

[66] Ibid., 6.

[67] Ibid.

ineffective in confronting the threat from radical Islamic terrorists. To meet the threat, the U.S. needs to expand counterterrorism strategy to include all capabilities of our government.

Since 9/11, the U.S. and our allies have identified a new participant in this War on Terror. This new element is commonly referred to as "homegrown" terrorists. Homegrown terrorists are individuals who are citizens or residents of the countries they attack. The potential threats posed by homegrown terrorists have become increasingly evident by the successful attacks in Madrid, Casablanca and London. Thankfully, various governments were able to disrupt several similar plots in Toronto, Australia and Amsterdam.[68] The individuals responsible for the successful and thwarted attacks were citizens or residents of the targeted countries. Instead of looking outward, counterterrorism officials were forced to look inward for potential terrorist operators.

Many counterterrorist officials became extremely concerned about the absence of a clear link between these terrorists and al Qaeda, and recognized the significance of this shift. [69] Instead of focusing on direct connections to al Qaeda and other radical Islamic terrorist organizations, they must now focus on citizens and residents who may be influenced by al Qaeda-inspired ideology. If allowed to continue, this process could have a significant effect on the security of our nation. Because these individuals may not have direct connections to existing terrorist organizations, U.S. counterterrorism officials were forced to re-evaluate their domestic counterterrorism strategy.

Counterterrorism officials are examining the process by which "normal" individuals were transformed into radical Islamic extremists. This process is known as radicalization. The Department of Homeland Security defines radicalization as "the

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[68] Michael D. Silber and Arvin Bhatt, *Radicalization in the West: The Homegrown Threat (New York Police Department)* (New York City Police Department New York, August 15, 2007) https://www.hsdl.org/homesec/docs/intel/nps37-110107-01.pdf&code=c652f57a750279b26159c07bb6989fd6 [Accessed December 5, 2007] 5.

[69] Ibid., 5.

process of adopting an extremist belief system, including the willingness to use, support or facilitate violence, as a method to effect societal change."[70]

In a March 14, 2007, appearance before the Senate Committee on Homeland Security, Michael Chertoff reiterated the potential threat posed by homegrown terrorists. To confront this threat, Chertoff identified radicalization as a key area in the development of all terrorists — homegrown or international. Chertoff argued, "When we understand the process that leads a person to support and/or pursue violence, we will be in the best position to protect our country from the widest possible range of threats we face."[71] In an effort to prevent the development of these terrorists, Chertoff discussed the importance of identifying the radicalization process to that we are better prepared to counteract the process.[72]

In August 2007, the New York City Police Department (NYPD) issued a report titled, *Radicalization in the West: The Homegrown Threat.* The report echoed concern over the increased instances of "unremarkable" individuals who attack the country in which they reside. [73] The NYPD report compared the terrorist operators of several terrorist plots and attacks in London, Madrid, Toronto, Amsterdam and Australia, which were conducted or developed by residents of the countries that were targeted or attacked. These terrorists were compared to terrorists who were successfully apprehended in the U.S. The U.S. "homegrown" terrorists were involved in the Lackawanna Six, Portland Seven, the Northern Virginia Jihad, the New York Herald Square Subway plot and the New York Al Muhajroun Two.[74] In all of these plots and attacks, the perpetrators were thought to be individuals who were citizens of, or resided in, the countries that were targeted. The NYPD report identified four phases of radicalization: pre-radicalization,

[70] Charles E. Allen, *Written Testimony Before the Senate Committee on Homeland Security and Governmental Affairs* (Washington, DC, March 14, 2007), 4.

[71] Michael Chertoff, *Written Testimony Before the Senate Committee on Homeland Security and Governmental Affairs* (Washington DC, March 14, 2007) 2.

[72] Ibid. 2.

[73] Silber and Bhatt, *Radicalization.*

[74] Ibid. 5.

self-identification, indoctrination and jihadization.[75] The first two, possibly three, phases involve actions that are not criminal in nature. The last phase, jihadization, involves the individual's desire to commit a terrorist attack, combined with active operational planning.

The NYPD report documents the existence of a "homegrown" threat in the U.S. The report argues that it is imperative that the U.S. develop a mechanism to identify and disrupt the radicalization process. The U.S. must acknowledge that individuals are most vulnerable prior to committing to terrorist planning. It is clear that the U.S. has not prepared itself against the worldwide radical Islamist insurgency. Our current strategy is one of limited engagement that selectively targets a small percentage of our enemies. To alter our continued vulnerability, the U.S. must devise a strategy that will support the homeland while engaging the entire spectrum of radical Islamists.

As this chapter illustrates, many believe the U.S. is engaged in a clash of civilizations between the West and Islam. If true, the U.S. has not adequately prepared itself for this conflict. As a result, the U.S. will continue to engage in tactics that strengthen our enemies at the same time we remain vulnerable to the current threat. Conversely, what are the alternatives to a clash of civilizations? Many individuals believe we are not engaged in a clash of civilizations. In fact, significant groups of critics believe that the threat has been overstated. These critics argue that that our current U.S. counterterrorism strategy has led to the formation of an unneeded domestic counterterrorism infrastructure.   The next chapter will examine the assumptions of these critics.

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[75] Silber and Bhatt, *Radicalization,* 6-7.

III.   EXAGGERATED THREAT

Despite all the ominous warnings of wily terrorists and imminent attacks, there has been neither a successful strike nor a close call in the United States since 9/11. The reasonable—but rarely heard—explanation is that there are no terrorists within the United States, and few have the means or inclination to strike from abroad.

— John Mueller, "Is There Still a Terrorist Threat?"[76]

Americans are not in charge of the War on Terror; the War on Terror is in charge of us.

— Ian Lustick, "Trapped in the War on Terror"[77]

In contrast to many critics' views that the U.S. is unprepared for the overwhelming threat posed by the clash between the West and radical Islam, many others believe the actual threat has been exaggerated. Recently, many question why the U.S. has devoted so much time, energy and money into its War on Terror. All agree that the attacks on 9/11 had a devastating and significant impact on the mental and physical well-being of our citizenry; however, many are beginning to question the necessity and legitimacy of the U.S. response. To address our current counterterrorism strategy, we must examine the accepted premise that there is a threat of a significant and catastrophic terrorist attack in the U.S.

Regardless of the threat, the U.S. counterterrorism strategy has resulted in numerous changes within defense, intelligence and homeland security communities.[78]

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[76] John Mueller, "Is There Still a Terrorist Threat?: The Myth of the Omnipresent Enemy" Foreign Affairs (New York: September/October 2006) http://www.foreignaffairs.org/20060901facomment85501/john-mueller/is-there-still-a-terrorist-threat.html [Accessed October 27, 2007].

[77] Ian S. Lustick, *Trapped in the War on Terror,* University of Pennsylvania Press, Philadelphia, 2006.

[78] Office of the Director of National Intelligence, Office of the Director of National Intelligence Website. http://www.dni.gov/aboutODNI/mission.htm [Accessed November 23, 2007].

On the federal level, it created a new cabinet-level component, the Department of Homeland Security, a new intelligence overseer, the Office of the Director of National Intelligence and reformulated the mission of the Federal Bureau of Investigation from law enforcement to intelligence.[79] Not to be outdone, state and local officials created over forty-eight intelligence Fusion Centers. These Fusion Centers were designed to augment a perceived lack of integration between federal and state/local authorities. The changes have resulted in the movement of thousands of federal, state, local and tribal law enforcement officers from law enforcement to counterterrorism and intelligence activities.[80]

The most powerful argument in support of an exaggerated threat theory is that we have not had a significant terrorist attack since 9/11.[81]   This alone should encourage individuals to question the validity of our response; however, in 2005, the Department of State reported that there were only fifty-six U.S. citizens killed and seventeen injured as a result of terrorism.[82]   In contrast, as of February 2, 2008, the Department of Defense reports 4,420 U.S. military personnel killed in Operation Iraqi Freedom and Operation Enduring Freedom.[83] In terms of lives lost, our response to terrorism appears to increase the likelihood of American deaths, as opposed to the terrorists' ability to accomplish this on their own.

Our overseas counterterrorism operations were designed to attack the terrorists before they could enter the U.S.; however, since 9/11, the U.S. has been unable to identify a direct al Qaeda plot within the U.S. In 2005, the *Washington Post* conducted a

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[79] The White House, *Fact Sheet: The Sixth Anniversary of 9/11: Remembering Lives Lost and Heroic Sacrifices Made* (Washington, DC, September 11, 2007) http://www.whitehouse.gov/news/releases/2007/09/20070911.html [Accessed October 28, 2007].

[80] United States Department of Justice – Office of Justice Programs, United States Department of Justice, Information Technology Website. http://www.it.ojp.gov/topic.jsp?topic_id=209 [Accessed November 23, 2007].

[81] The Federal Bureau of Investigation, *Terrorism 2002-2005*, The Federal Bureau of Investigation Website http://www.fbi.gov/publications.htm [Accessed November 23, 2007].

[82] U.S. Department of State, *Country Reports on Terrorism,* U.S. Department of State Website, April 28, 2006) http://www.state.gov/s/ct/rls/crt/2005/65970.htm [Accessed February 2, 2008].

[83] U.S. Department of Defense, *Department of Defense Casualty Reports* (Department of Defense Website, February 2, 2008) http://www.defenselink.mil/news/casualty.pdf [Accessed February 2, 2008].

study indicating that of the two-hundred terrorism-related prosecutions conducted by the U.S. Department of Justice only thirty-nine individuals were convicted of terrorism-related offenses. Of these thirty-nine prosecutions, only fourteen were directly related to al Qaeda. [84]

A more recent study, conducted by the Center on Law and Security at New York University School of Law, examined federal criminal indictments between September 11, 2001, and September 11, 2006. The study identified 510 terrorism-related cases. Of these cases, only 163 were indicted on terrorism-related charges. Of the 163 indictments, only four were convicted of terrorism-related charges.[85] It is interesting to note that none of the individuals identified in the study had any logistical or tactical links to al Qaeda. Despite this absence of terrorist operators within the U.S., President George W. Bush and other homeland security leaders continue to call for increased vigilance and resources to confront terrorism.

The absence of attacks and terrorists in the U.S. since 9/11 has been explained by four factors:

1. The changes in our counterterrorism, intelligence and homeland security agencies;

2. The wars in Afghanistan and Iraq have prevented terrorists from attacking the U.S.; and [86]

3. The terrorists do not have the capability and/or intent to attack the U.S.; or

4. The terrorists are focused on a catastrophic attack.

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[84] *The Washington Post*, "U.S. Campaign Produces Few Convictions on Terrorism Charges) (Washington, DC, June 12, 2005) http://www.washingtonpost.com/wp-dyn/content/article/2005/06/11/AR2005061100381.html [Accessed October 3, 2007].

[85] The Center of Law and Security, *Terrorist Trial Report Card: U.S. Edition,* Center on Law and Security at New York University School of Law, New York September 2006) 2, 3.

[86] George W. Bush, Speech to the National Endowment on Democracy, (Washington DC, October 6, 2005) http://www.whitehouse.gov/news/releases/2005/10/20051006-3.html [Assessed November 18, 2007].

As noted earlier, the U.S. has drastically altered the purpose, management and mission of our law enforcement, military and intelligence agencies. These changes resulted in the expansion of our intelligence program and the formation of the largest department within the U.S. government. After the attacks on 9/11, the U.S. Intelligence Community (USIC) came under tremendous criticism for its inability to protect the U.S. homeland. As an immediate solution, President George W. Bush announced the creation of the Department of Homeland Security (DHS) in June 2002.[87]

In a further attempt to revitalize the USIC, the president and Congress established the National Commission on Terrorist Attacks Upon the United States (9/11 Commission) and the Commission on Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (WMD Commission).[88] These Commissions outlined several deficiencies within the U.S. Intelligence Community.[89] These deficiencies included a lack of communication, integration and clear organizational leadership.

In an attempt to correct these deficiencies, Congress enacted the Intelligence Reform and Prevention Act of 2004.[90] The Act was intended "to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government."*[91]* The Act established the Office of the Director of National Intelligence (ODNI) and the National Counterterrorism Center to provide leadership, access and coordination for the components of the USIC.[92] These changes were a step in the right

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[87] George W. Bush, *Proposal for the Creation of a Department of Homeland Security* (The White House, Washington, DC, June 2002) http://www.dhs.gov/xlibrary/assets/book.pdf [Accessed January 27, 2007], 2-9 .

[88] Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (Washington, DC) http://www.wmd.gov/about.html [Accessed January 21, 2007].

[89] National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report* (Washington, DC, July 22, 2004) http://www.9-11commission.gov/report/911Report.pdf [Accessed January 22, 2007].

[90] Intelligence Reform and Prevention Act of 2004. http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_cong_public_laws&docid=f:publ458.108 [Accessed January 21, 2007].

[91] Ibid.

[92] Ibid.

direction; however, they have not provided a clear process for the integration of federal, state, local and tribal agencies into the national intelligence strategy. [93]

Even though we have expanded these organizations, these agencies are unable to protect our citizenry from significant criminal activity (i.e., bombings, shootings and sniper attacks). The only difference between these criminal acts and terrorism is the perpetrator's intent. Absence a terrorist's intent, many of these types of attacks could have been categorized as terrorist attacks.[94] The most recent data indicate that in 2003, there were 386 bombings or attempted bombings in the U.S. [95] In 2006, more than 10,000 individuals were murdered with a firearm.[96] These statistics illustrate law enforcement's inability to prevent violent crime regardless of the intent of the perpetrators. This is not a deficiency; it is a fact of life. Questions remain as to why terrorists have chosen not to utilize these tactics in the U.S.

It is not a matter of access. The U.S. does not domestically manufacture cocaine; however, in 2006, the U.S. Drug Enforcement Administration (DEA) seized over 68,926 kilograms of cocaine.[97] In comparison, the U.S. Coast Guard seized over 161,367 kilograms of cocaine in 2007.[98] Obviously, there continues to be an illegal mechanism to move illegal substances into the U.S.

If we are to believe the threat is as severe as the president and the intelligence community says, we must conversely believe that our homeland security agencies have been 100 percent successful in the prevention and/or disruption of all terrorist plots to attack the U.S. Several critics, however, point to the fallacy that the U.S. government is

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[93] Intelligence Reform and Prevention Act of 2004.

[94] Ibid.

[95] United States Bomb Data Center, Bureau of Alcohol, Tobacco, Firearms and Explosives websitehttp://www.atf.gov/aexis2/statistics.htm [Accessed November 23, 2007].

[96] The Federal Bureau of Investigation, *2006 Uniform Crime Report.* Federal Bureau of Investigation Website. http://www.fbi.gov/ucr/cius2006/offenses/expanded_information/data/shrtable_07.html [Accessed November 23, 2007].

[97] U.S. Drug Enforcement Administration, *Stats and Facts* (U.S. Drug Enforcement Administration Website, Washington, DC) http://www.usdoj.gov/dea/statistics.html [Accessed February 2, 2008].

[98] U.S. Coast Guard, *Coast Guard Announces Record Drug Seizures* (U.S. Coast Guard Website, December 6, 2007) https://www.piersystem.com/go/doc/786/184995/ [Accessed February 2, 2008].

capable of providing this level of protection.[99]   As noted earlier, a review of the government's response to other wars, the "war on drugs," indicates that the U.S. is unable to provide 100 percent relief and protection.

Further examples of the deficiencies in our homeland security agencies are, unfortunately, easy to come by.   Immigration enforcement has seen significant improvement in the aftermath of 9/11; however, we continue to allow over ten million illegal immigrants to reside in the U.S.[100]   Among these illegal immigrants, a significant number, "perhaps thousands," are Muslim.[101]

An examination of the facts makes several things clear. First, the U.S. is unable to prevent motivated individuals from entering the U.S. legally or illegally.[102]   Second, our homeland security agencies are unable to prevent a significant amount of violence directed at its citizens.[103]   Except for motivation, many of these violent acts would be identical to terrorist acts. Lastly, the U.S. law enforcement community has apparently not arrested or disrupted a significant terrorist plot within the U.S.[104] The combination of these facts would indicate that terrorists have chosen not to attack the U.S. or they do not exist. Several critics, including John Mueller, a political science professor at Ohio State University, conclude that if terrorists are as "dedicated, diabolical and competent" as we are lead to believe, our counterterrorist actions would not have prevented them from conducting an attack.[105] The only rational conclusion is that they are not in the U.S.

Regardless of terrorist's intent or ability to conduct an attack in the U.S., a second rationalization for the lack of another terrorist attack is the wars in Afghanistan and Iraq. Since the development of the "War on Terror," it has been the administration's intent to

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[99] Mueller, *Overblown,* 54.

[100] Jeffery S. Passel, *Estimates of the Size and Characteristics of the Undocumented Population* (The Pew Hispanic Center, Washington, DC, March 21, 2005) http://pewhispanic.org/reports/report.php?ReportID=44 [Accessed February 2, 2008].

[101] Mueller, *Overblown*, 100.

[102] Passel, *Estimates of Undocumented Population.*

[103] Federal Bureau of Investigation, *2006 Uniform Crime Report.*

[104] The Center of Law and Security, *Terrorist Trial Report Card: U.S. Edition.*

[105] Mueller, *Overblown*, 106.

identify, disrupt and neutralize terrorists before they enter the U.S. The most significant examples of this mission are the wars in Iraq and Afghanistan. Most people will agree that a crucial step toward destroying a terrorist organization is the removal of its physical infrastructure and support mechanisms.   After the attacks of 9/11, the U.S. quickly identified Afghanistan as the key staging area for al Qaeda. In November 2001, the U.S. and its allies invaded Afghanistan and successfully removed al Qaeda and their Taliban sponsors. After this "victory," President Bush shifted the focus of the War on Terror to Iraq. Many would argue the justifications that led up to the Iraq war; however, it is clear that our military forces are engaged in daily, direct combat with al Qaeda and their supporters. Since the invasion of Iraq, President Bush has repeatedly stated that the Iraq war is the "central front in our War on Terror."[106]

Despite our military presence in Iraq and Afghanistan, al Qaeda and its supporters continue to operate outside of these areas. Since the invasions, al Qaeda and their proxies have conducted successful attacks in the United Kingdom, Spain, Egypt, Jordon, Saudi Arabia, Morocco and Denmark.[107] Many of these and other Western European countries have reported the disruption of significant terrorist operational attack planning cells.[108] Prior to her retirement in November 2006, Dame Eliza Manningham-Buller, head of the British Security Service (MI-5), announced in a rare public speech that,

> today, my officers and the police are working to contend with some 200 groupings or networks, totaling over 1,600 identified individuals (and there will be many we don't know) who are actively engaged in plotting, or facilitating, terrorist acts here and overseas.[109]

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[106] George W. Bush, Speech to the National Endowment on Democracy (Washington, DC, October 6, 2005) http://www.whitehouse.gov/news/releases/2005/10/20051006-3.html [Accessed November 18, 2007].

[107] Sally McNamara, *How Europe and America Should Confront Islamic Extremism* (The Heritage Foundation, Executive Summary Backgrounder, Washington, DC, October 3, 2007, No. 2073) http://groups.google.com/group/talk.politics.european-union/msg/d4ace08e436d218d? [Accessed November 24, 2007].

[108] Eliza Manningham-Buller, Speech at Queen Mary's College, (London, November 9, 2006) http://www.mi5.gov.uk/output/Page374.html [Accessed November 24, 2007].

[109] Ibid.

The specificity of the actual numbers of potential terrorist operators in the U.K. is in sharp contrast to the statements made by homeland security leaders in the U.S.

The War on Terror has been described as a battle to "disrupt and end a way of life."[110] John Mueller takes umbrage with the U.S. government's professed belief that radical Islamic terrorists are capable of destroying our way of life. He illustrates this by explaining that even if a 9/11-scale attack occurs every three months for the next five years, it will result in the deaths of only .02 percent of the U.S. population.[111] Even with an atomic weapon, terrorists do not have the capacity to end our way of life. The only mechanism available to them is their belief that our responses will accomplish their goals.

The belief that they are waiting for a catastrophic attack is absurd. In December 2001, Richard Reid was arrested in Boston after he attempted to detonate a bomb while flying on an American Airlines flight from Paris, France. The bomb had been embedded in his shoe.[112] In a statement made during his sentencing to life in prison, Reid stated that he supported Usama bin Laden and was at war with the U.S.[113]

In August 2006, the United Kingdom disrupted an al Qaeda plot to blow up several airplanes as they flew over U.S. and U.K. cities.[114] The plot was, thankfully, disrupted by U.K. and U.S. authorities.   These events clearly indicate that al Qaeda is intent on utilizing any means necessary, large or small, to attack the U.S. Since 9/11, Usama bin Laden and his al Qaeda associates have threatened the U.S.   There does not appear to be any indication that he and his associates are not doing everything possible to attack the U.S. homeland.

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[110] George W. Bush, *Address to a Joint Session of Congress and the American People* (Washington DC, September 20, 2001) http://www.whitehouse.gov/news/releases/2001/09/20010920-8.html [Accessed November 3, 2007].

[111] Mueller, *Overblown.* 2.

[112] U.S. Department of Justice, *Indictment of Richard Colvin Reid* (Boston, MA January 16, 2002) http://209.85.207.104/search?q=cache:2gxlAmh7VRsJ:www.usdoj.gov/ag/reidindictment.pdf+indictment+Richard+Colvin+Reid&hl=en&ct=clnk&cd=1&gl=us [Accessed February 2, 2008].

[113] Richard Reid, *Partial Transcript of Statement,* (CNN.COM website, Boston, January 31, 2003) http://www.cnn.com/2003/LAW/01/31/reid.transcript/ [Accessed February 2, 2008].

[114] James Sturke, "Liquid Threat Exposes Flaws in Airport Security" (*Guardian Unlimited,* London August 10, 2006) http://www.guardian.co.uk/terrorism/story/0,,1841679,00.html [Accessed February 2, 2008].

The 2007 National Intelligence Estimate, "The Terrorist Threat to the U.S. Homeland," advised that the U.S. would face a "persistent and evolving terrorist threat over the next three years."[115] A National Intelligence Estimate (NIE) is the, "Intelligence Communities most authoritative written judgments on national security issues and designed to help U.S. civilian and military leaders develop policies to protect U.S. national security interests."[116] The NIE reports that worldwide counterterrorist operations have "constrained" al Qaeda's ability to attack the U.S. homeland. This supports the belief that the most effective utilization of our counterterrorism resources should be focused overseas; however, these groups perceive that it is more difficult to attack the U.S. than it was before the attacks on 9/11.[117] Further confirmation can be found in the October 2006 White House list of the ten most significant plots disrupted by the U.S. Of the ten plots listed, only three were directed against the U.S. homeland.[118] Unfortunately, the NIE assesses that, "al Qaeda has protected or regenerated key elements of its homeland attack capabilities." The NIE argues that al Qaeda will "intensify" its efforts to bring its operatives into the U.S. Al Qaeda will continue to focus its attack planning on "prominent political, economic and infrastructure targets."[119] The goal of these attacks will be to provide innovative, "visually dramatic" destruction, inflict mass casualties and to cause significant economic aftershocks. Al Qaeda continues to express a desire to obtain and utilize weapons of mass destruction. To date, the U.S. has discovered "handfuls" of individuals in the U.S. who have had ties to senior al Qaeda leadership since 9/11.[120]

The NIE points to several factors that contribute to al Qaeda's regenerated ability to attack the U.S. homeland. First, al Qaeda increased its cooperation with "regional"

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[115] National Intelligence Council, "National Intelligence Estimate: The Terrorist Threat to the U.S. Homeland" (Washington, DC, July 2007).

[116] Ibid., Preface.

[117] Ibid., 5.

[118] The White House, *Fact Sheet: Plots, Casings and Infiltrations Referenced in President Bush's Remarks on the War on Terror* (The White House, Washington, DC, October 6, 2006) http://www.whitehouse.gov/news/releases/2005/10/20051006-7.html [Accessed February 6, 2005].

[119] National Intelligence Estimate: The Terrorist Threat to the U.S. Homeland. 5.

[120] Ibid.

terrorist groups. In particular, al Qaeda intends to "leverage" its affiliate, al Qaeda in Iraq (AQI). AQI is the only affiliate that has expressed a desire to attack the U.S. homeland. Al Qaeda hopes that AQI will "energize" the larger Sunni extremist community.[121]

The NIE also addresses other radical Islamic terrorist organizations that are not directly affiliated with al Qaeda and its associates. In particular, the NIE warns about growing threats from "radical, self-generating cells" in Western Europe and the U.S. Fortunately, the NIE believes this possibility is not as significant in the U.S. as it is in Europe.[122]

The NIE believes globalization will "challenge" current U.S. defensive efforts to confront terrorism. They suggest the U.S. institute a "greater understanding" of suspect activities at the local level in relation to the strategic threat picture.[123]

Despite of the rhetoric that surrounds the War on Terror, an examination of the facts leads one to believe that radical Islamic terrorists are not capable of attacking inside the U.S., or they have decided not to attack. [124]

One could argue that, regardless of the reasons, our current counterterrorism strategy has not contributed or allowed the terrorists to conduct further attacks. This rationale, however, belays the true power of the terrorists. Most counterterrorism experts will argue that terrorist power is not in the capacity to conduct attacks but in the ability to manipulate the government's response to attacks.[125] In this capacity, al Qaeda and radical Islamic terrorists have been most successful. Our response to terrorism, unfortunately, has negatively affected several areas of our society: legal, economic and diplomatic.

The economic effect of the War on Terror is, obviously, the easiest to quantify. Since its inception, the War on Terror has caused a rapid expansion within numerous

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[121] National Intelligence Estimate: The Terrorist Threat to the U.S. Homeland. 5.

[122] Ibid. 6.

[123] Ibid.

[124] Mueller, "Is There Still a Terrorist Threat?"

[125] Lustick, *Trapped in the War on Terror,* 48.

areas of the federal government. As of 2005, the U.S. spends 16 percent of its discretionary spending on the War on Terror. To put this into context, it is 80 percent higher than federal expenditures on education. [126] Furthermore, it is estimated that the U.S. will spend approximately $2 trillion on the Iraq War.[127] This is supplemented domestically by $17 billion in grants to state and local homeland security programs.[128] With continued instability in the U.S. economy and the threat of a looming recession, one could argue that our fight is not "worth" the cost.

Next, the War on Terror it is diverting and distorting the social relationship (contract) between our citizens and the law enforcement, military and intelligence communities. As previously noted, the attacks of 9/11, caused the U.S. to examine and ultimately change the structure of the U.S. Intelligence Community. The U.S. created new agencies and significantly altered the mission of others. Since 9/11, all levels of our government have been encouraged and rewarded for the transformation of homeland security-focused law enforcement and intelligence. This is most visible in the transformation of the FBI from the worldwide premier law enforcement agency to a quasi U.S. domestic security service.

These changes are enhanced by the creation of more than thirty-eight state and local fusion centers.[129] These centers were established by state governments to address the perceived lack of intelligence information sharing they were achieving within the state and between the state and federal governments. Since their inception, these fusion centers have been embraced and sought out by both the FBI and the DHS. As a result, the FBI has representation in all fusion centers while the DHS continues to expand its involvement through grants and personnel.

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[126] Mueller, "Is There Still a Terrorist Threat?" *x*, 12.

[127] Ibid., 23.

[128] Ibid., 22.

[129] The Department of Homeland Security, *State and Local Fusion Centers* (DHS website. Washington DC, September 14, 2006) http://www.dhs.gov/xinfoshare/programs/gc_1156877184684.shtm [Accessed February 2, 2008].

These changes, unfortunately, appear to have had a negative impact on nationwide levels of violent crime. Reversing the double-digit decrease over the past ten years, the FBI's 2006 Uniform Crime Report indicated that violent crime rose 1.9 percent.[130]

Post-9/11, all domestic law enforcement and homeland security agencies are focused on the identification, disruption and neutralization of terrorists. This focus, regrettably, develops and fosters deep misunderstanding and concern within the homeland security community.   In their quest for intelligence, agencies have begun to question the lack of information they receive from one another. Many agencies view this lack of information as a continuation of the mistrust between federal agencies and their state and local partners. The reality appears to be much different, and arguably, more troublesome. These agencies do not receive the information because the information does not exist.

Unfortunately, this runs counter to the premise of the War on Terror. In this war, the absence of evidence is believed to be evidence of our inability to locate the terrorists.[131]   As a result, more time, money and effort are put into information-sharing programs and the development and expansion of domestic intelligence-collection operations. This expansion encourages our government to view all potential threats equally. Anything and everything is a potential threat.[132]   In essence, Ian Lustick, a political science professor at the University of Pennsylvania, argues that, "Americans are not in charge of the War on Terror; the War on Terror is in charge of us."[133]

Mueller believes that the probability of attack is so low that our monetary expenditures are wasted on prevention.[134]   The homeland security establishment has

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[130] The Federal Bureau of Investigation, *2006 Uniform Crime Report* (Washington, DC, October 2007) http://www.fbi.gov/ucr/cius2006/offenses/violent_crime/index.html [Accessed November 23, 2007].

[131] Ibid Mueller, "Is There Still a Terrorist Threat?" 62.

[132] John Mueller, *Overblown: How Politicians and the Terrorism Industry Inflate National Security Threats, and Why We Believe Them* (Free Press, 2006), 5.

[133] Lustick, 48.

[134] Mueller, *Overblown*, 86.

established the precedent that we must predict, prevent and deter all conceivable vulnerabilities.[135]   Under that definition, we are destined for failure. In order to win this struggle, we must place it into context. There is nothing a terrorist can do, including detonating a nuclear weapon, that will entirely destroy the U.S. The only thing capable of doing that is us. It is imperative that our leaders place the threat in the proper perspective. Once we accomplish this, we will be able to provide an effective defense and response against the threat.

Lastly, many critics are concerned about the continued stress that the ongoing War on Terror places upon our citizenry. This criticism gained increased public awareness in a recent Op Ed article written by former U.S. National Security Advisor Zbigniew Brzezinski. In the article, Brzezinski writes that the "War on Terror" has created a "culture of fear" in America.[136] This fear "obscures reason (and) intensifies emotion." As a result, our government has been able to manipulate the public to accept their goals and objectives. This fear has been reinforced by "terror entrepreneurs" who need to perpetuate fear to justify their existence. Brzezinski argues that our actions, as a result of the "War on Terror," have seriously eroded our core values and damaged U.S. prestige internationally.   Brzezinki states that we have not been shown any "hard evidence" that our counterterrorism actions have prevented a significant act of terrorism.[137]

As stated earlier, the U.S. has been unable to identify al Qaeda sleeper cells within the U.S. This has, unfortunately, resulted in the expansion of its definition of potential terrorists. In its quest to locate these terrorists, the U.S. has begun to examine "homegrown" terrorists. The expanded threat was a direct result of the successful attacks in Madrid, Casablanca and London. Thankfully, various governments were able to

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[135] Lustick, *Trapped,* 3.

[136] Zbigniew Brzezinski, "Terrorized by "War on Terror": How a Three-Word Mantra Has Undermined America," *Washington Post* (March 25, 2007): B01.

[137] Ibid., B01.

disrupt several similar plots in Toronto, Australia and Amsterdam.[138] In these instances, the terrorists were citizens or residents of the targeted countries. These "homegrown" terrorists appeared to have no direct connection to al Qaeda or other international terrorist organizations. This caused significant concern within the U.S. counterterrorism community. [139] U.S. counterterrorism officials perceived a significant shift in the threat posed by radical Islamic extremists. This shift resulted in a significant modification in domestic U.S. counterterrorism operations. U.S. counterterrorism and government officials expanded their targeting of internal U.S. citizens and residents who had been influenced and inspired by al Qaeda's ideology.

Many in the Intelligence Community believe that homegrown terrorists may be the most significant threat to our homeland's security. As a result, U.S. counterterrorism efforts are focusing on the development of these "potential" terrorists. The U.S. began to examine the process by which "normal" individuals were transformed into radical Islamic extremists.[140] This process is called radicalization. DHS defines radicalization as, "the process of adopting an extremist belief system, including the willingness to use, support, or facilitate violence, as a method to effect societal change."[141]

In confronting radicalization, the U.S. has, once again, assimilated Europe's threats as our own. An examination of the threat clearly indicates that, for several reasons, Europe is far more vulnerable to the threat of "homegrown" terrorism.[142] This is a result of several factors including geography, socio-economic status and the disaffection of Muslim youth.[143] These factors, thankfully, do not appear to be applicable to Muslims in America. In a landmark survey, the Pew Research Center for

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[138] Michael D. Silber and Arvin Bhatt, *Radicalization in the West: The Homegrown Threat* (New York City Police Department New York, August 15, 2007) https://www.hsdl.org/homesec/docs/intel/nps37-110107-01.pdf&code=c652f57a750279b26159c07bb6989fd6 [Accessed December 5, 2007] 5.

[139] Ibid., 5.

[140] Allen, *Written Testimony Before the Senate Committee on Homeland Security and Governmental Affairs*.

[141] Ibid., 4.

[142] Ibid., 2.

[143] Ibid., 2.

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the People and the Press conducted a survey into Muslims in America. [144]   The survey indicated that Muslim Americans are "largely assimilated, happy with their lives, and moderate with respect to many of the issues that have divided Muslims and Westerners around the world."[145]

Despite these statistics, the U.S. homeland security community continues to call for an examination of radicalization in the U.S. Department of Homeland Security Secretary Michael Chertoff identified radicalization as a key area in the development of all terrorists, homegrown or international. In an effort to prevent the development of these terrorists, Secretary Chertoff discussed the importance of identifying the radicalization process so that we are better prepared to counteract the process.[146] He stated, "When we understand the process that leads a person to support and/or pursue violence, we will be in the best position to protect our country from the widest possible range of threats we face."[147]   While noble, this goal is unattainable. The U.S. and the world in general are unable to identify what motivates an individual to support or pursue violence. Like criminal activity in general, an individual's motivation is a unique as the crimes they commit. In fact, studies conducted by DHS document the varied causes of radicalization. These studies found that radicalization "varies across ideological and ethno-religious spectrums, different geographic regions, and socio-economic conditions."[148] Furthermore, it occurs through an assortment of human and institutional "catalysts."[149]

Despite these nebulous precursors, several homeland security agencies have allocated significant resources to the identification and neutralization of radicalization.

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[144] Pew Research Center for the People & the Press, *Muslim Americans: Middle Class and Mostly Mainstream (Report Summary)* (Washington, DC, May 22, 2007) http://people-press.org/reports/display.php3?ReportID=329 [Accessed November 25, 2007].

[145] Ibid.

[146] Ibid., 2.

[147] Michael Chertoff, *Written Testimony Before the Senate Committee on Homeland Security and Governmental Affairs* (Washington, DC, March 14, 2007) 2.

[148] Allen, *Testimony.* 5.

[149] Ibid., 6.

The DHS has shifted significant analytical resources to this problem.[150] The New York City Police Department (NYPD), in August 2007, issued a report titled, *Radicalization in the West: The Homegrown Threat.* The report reiterated that radicalization is the result of "people and environment." [151]   The NYPD report recommends that homeland security agencies, particularly law enforcement, examine a mechanism to identify and disrupt the radicalization process before an individual engages in criminal activity.[152] In essence, it advocates an expanded role for law enforcement participation in non-law enforcement-related intelligence gathering and disruption operations.

Despite European concerns, the U.S. does not have a radicalization problem. American Muslims are well-adjusted and beneficial members of our society. By shifting the threat from terrorist attack planning to radicalization, the U.S. is needlessly expanding our struggle, while potentially increasing the negative perception of Muslim Americans. This tactic may in fact increase the very process it was designed to prevent.

It is apparent that the U.S. has not prepared itself against the worldwide radical Islamist insurgency.   Our current strategy is one of limited engagement that selectively targets a small percentage of our enemies. In order to alter our continued vulnerability, the U.S. must devise a strategy that will support the homeland while engaging the entire spectrum of radical Islamists.

What is clear is that the U.S. has not been attacked since 9/11. Despite the development of the War on Terror and the maturation of the homeland security community, the U.S. is not capable of identifying, disrupting and neutralizing all possible terrorist attacks. Al Qaeda and its supporters in the radical Islamic community continue to attack U.S. forces in Iraq and Afghanistan. These terrorists have conducted numerous terrorist attacks throughout the world. The only notable exception is the U.S. Based on the facts identified earlier, the only logical explanation is that the terrorists are unable or unwilling to attack the U.S. If they are incapable of attacking, it stands to reason that

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[150] Allen, *Testimony,* 2.

[151] Silber and Bhatt, *Radicalization.*

[152] Ibid., 9.

their inability lies in their ability to recruit operatives to attack the U.S. However, the wars in Iraq and Afghanistan, and the plots and attacks in Morocco, Spain, Germany, United Kingdom and Denmark would indicate that these groups do not have a shortage of recruits who would be willing to engage in terrorist's attacks.

We must continue to develop a process by which we can secure our borders and maintain internal control over the limited pool of radical Islamic extremists in the U.S.; however, this can not be at the expense of our economic and social well-being. It is only when we fail to ensure our internal stability that we will become truly vulnerable to the terrorist threat.

As seen in the previous chapters, there appears to be misunderstanding as to the threat we face. One group believes we have not adequately prepared for or addressed the threat. This group believes the U.S. engaged in a clash of civilizations. They argue that the U.S. must significantly alter its resources to counteract this momentous and growing threat. As outlined in this chapter, another faction believes the U.S. has exaggerated the threat. This group argues that the U.S. response has been extensively disruptive to the overall safety of the U.S. Regardless of the criticism, both groups believe the U.S. has incorrectly identified the threat posed by radical Islamic terrorists. To identify a solution, we must examine the government's current counterterrorism strategy. The following chapter will examine the national strategies related to counterterrorism as well as the strategies utilized by the FBI, DHS and ODNI.

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IV. THE CURRENT NATIONAL STRATEGY

Today's terrorists can strike at any place, at any time, and with virtually any weapon.

— 2002 U.S. National Strategy on Homeland Security[153]

Since 9/11, we have taken the fight to these terrorists and extremists. We will stay on the offense, we will keep up the pressure, and we will deliver justice to our enemies.

— George W. Bush[154]

The United States drastically altered its counterterrorism strategy after the attacks on September 11, 2001. Prior to the attacks, the U.S. counterterrorism strategy was viewed as primarily a law enforcement issue. Victory was defined as a successful prosecution. This strategy was solidified in President Clinton's Presidential Decision Directive 39 (PDD 39), which appointed the Federal Bureau of Investigation (FBI) as the U.S. government entity responsible for leading U.S. counterterrorism efforts.[155] As the lead counterterrorist agency, the FBI utilized the criminal justice system to identify, disrupt and prosecute terrorist activities that targeted the U.S. Under this framework, the FBI worked to prevent terrorist attacks; however, the most significant application of its resources was dedicated to responding to terrorist attacks after they occurred. Despite its response-based focus, only two significant terrorist attacks occurred in the U.S. prior to 9/11: the Alfred P. Murrah Federal Building bombing and the first attack on the World Trade Center.

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[153] Office of Homeland Security, *National Strategy for Homeland Security* (Washington, DC, July 2002).

[154] George W. Bush, "Address to the Joint Session of Congress and the American People" (Washington, DC, January 28, 2008) http://www.whitehouse.gov/news/releases/2008/01/20080128-13.html [Accessed February 2, 2008].

[155] William Jefferson Clinton, "Presidential Decision Directive – 39" (Washington, DC, June 21, 1995), 2.

Following the 9/11 attacks, the U.S. determined this strategy was ineffective against the terrorist threat.[156] In hindsight, many felt the criminal justice system provided radical Islamists with protections that were not compatible with the threat they posed. On September 20, 2001, President George W. Bush addressed a joint session of Congress in which he outlined his "War on Terror."[157] In his address, President Bush defined our enemy as al Qaeda and "every terrorist group of global reach."[158] Their goal is "remaking the world — and imposing its radical beliefs on people everywhere."[159] President Bush declared that "freedom and fear are at war."[160] After defining the War on Terror, President Bush warned that it was not going to be "one battle, but a lengthy campaign."[161] At stake was our country's existence. President Bush advised that the War on Terror was the "world's…and civilization's fight."[162]

In July 2002, the Office of Homeland Security released the "National Strategy for Homeland Security."[163] In the strategy's preface, President Bush declared:

> We are today a Nation at risk to a new and changing threat. The terrorist threat to America takes many forms, has many placed to hide, and is often invisible.*[164]*

For the first time, the U.S. government provided a definition of homeland security. The National Strategy for Homeland Security outlined three strategic objectives:

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[156] Thomas H. Keene and Lee H. Hamilton, *Public Statement Release of the 9/11 Commission Report,* (National Commission on the Terrorist Attacks Upon the United States, Washington, DC, July 22, 2004) http://govinfo.library.unt.edu/911/report/index.htm [Accessed February 5, 2008], 2-3.

[157] Bush, "Address to Joint Session of Congress and the American People" (Washington, DC, September 20, 2001) http://www.whitehouse.gov/news/releases/2001/09/20010920-8.html [Accessed September 15, 2007].

[158] Ibid.

[159] Ibid.

[160] Ibid.

[161] Ibid.

[162] Ibid.

[163] Office of Homeland Security, *National Strategy for Homeland Security* (Washington, DC, July 2002).

[164] Ibid., Preface.

1.   Prevent terrorist attacks within the United States;

2.   Reduce America's vulnerability to terrorism; and

3.   Minimize the damage and recover from attacks that do occur.[165]

For the first time, the strategy defined the functions of homeland security as:

1.   Intelligence and Warning;

2.   Border and Transportation Security;

3.   Domestic Counterterrorism;

3.   Protecting Critical Infrastructure;

4.   Defend Against Catastrophic Terrorism; and

5.   Emergency Preparedness and Response.[166]

The purpose of the strategy was to "mobilize and organize our Nation and to secure the U.S. from terrorist attacks."[167]

The Strategy warned that, "Today's terrorists can strike at any place, at any time, and with virtually any weapon."[168]   To confront this threat, the Strategy hoped to "mobilize and organize" our defenses.[169]   To accomplish its stated goals, the Strategy instructed the U.S. to, "take every appropriate action to avoid being surprised by another terrorist attack."[170]   It provided a "national vision" for the redefinition of law enforcement's mission from the criminal justice to the "prevention of all terrorist acts

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[165] Office of Homeland Security, *National Strategy for Homeland Security,* vii.

[166] Ibid., vii.

[167] Ibid., 1.

[168] Ibid., 1.

[169] Ibid., 1.

[170] Ibid., 15.

within the U.S."[171] To support this mission, the Strategy advised the U.S. would devote the "right amount of scarce resources to homeland security and to spend these resources on the right activities."[172]

In February 2003, the U.S. released a companion strategy titled, the "National Strategy for Combating Terrorism."[173] The purpose of this strategy was to "identify and defuse threats before they reach our borders."[174] To accomplish its goals, the National Strategy for Combating Terrorism defined its strategic intent as the defeat of terrorists of global reach; deny support and sanctuary; diminish underlying conditions; and defend the U.S.[175] To defeat terrorists, the Counterterrorism Strategy called for identification, location and destruction of terrorist groups. The U.S. military, law enforcement, intelligence and agencies and our foreign liaison partners were tasked with this mission; however, the U.S. Department of State was selected to "lead regional strategies."[176]

To deny terrorist support and sanctuary, the Counterterrorism Strategy called for the development and maintenance of international standards for combating terrorism: the strengthening and maintenance of internal counterterrorism efforts and the disruption of material support to terrorists.[177] In an effort to diminish the root causes of terrorism, the Counterterrorism Strategy mandated that the U.S. must win the "war of ideas." In order to accomplish this, the U.S. must work with international partners to strengthen weak states to prevent the development and/or re-emergence of terrorism.[178]

The Strategy for Combating Terrorism's external operations goal clearly separated it from the National Strategy for Homeland Security. However, it called for the utilization of "every instrument of national powers: diplomatic, economic, law

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[171] Office of Homeland Security, *National Strategy for Homeland Security*, 25-26.

[172] Ibid., 63.

[173] The White House, "National Strategy for Combating Terrorism" (Washington, DC, February 2003).

[174] Ibid., 2.

[175] Ibid., 11.

[176] Ibid., 15-17.

[177] Ibid., 18-22.

[178] Ibid., 22-23.

enforcement, financial, information, intelligence and military."[179] To defend the U.S. against terrorism, the Counterterrorism Strategy called for the implementation of the previously discussed National Strategy for Homeland Security. To support its goals, the Strategy called for the development of "domain awareness," and the development of enhanced measures to ensure the "integrity, reliability and availability" of critical infrastructures at home and abroad. [180] The strategy called for the development on an integrated incident management system to ensure our ability to address attacks should they occur.[181]

In the fall of 2006, the U.S. issued an updated National Strategy for Combating Terrorism. The updated Counterterrorism Strategy declared we are at war with a "transnational terrorist movement fueled by a radical ideology of hatred and oppression."[182] Al Qaeda is deemed to be the most dangerous supporter of this movement. These movements are intent on destroying the "nature" and "destiny" of the world. Al Qaeda and its supporters want to institute "totalitarian rule" through and ideology of oppression, violence and hatred. [183] These extremist organizations are attempting to "create and exploit a division between the Muslim and non-Muslim world." [184] These groups will not allow a peaceful coexistence. Like the earlier version, this Strategy defined this as a war of arms and ideas. It declared the U.S. had, "broken old orthodoxies that once confined our counterterrorism efforts primarily to the criminal justice domain."[185] This allowed the U.S. to use all elements of its "National Power" to "extend our (counterterrorism) defenses."[186] It asserted several key measures of success since 9/11: the degradation of the al Qaeda network, the death and capture of key al Qaeda lieutenants, the elimination of terrorist safe havens and the disruption of terrorism

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[179] The White House, "National Strategy for Combating Terrorism," 1.

[180] Ibid., 23, 26, 27.

[181] Ibid., 27.

[182] Ibid.

[183] Ibid., 6.

[184] Ibid., 5.

[185] Ibid., 1.

[186] Ibid., 1.

support networks.[187]   These successes were the result of increased cooperation between law enforcement, intelligence, military and diplomacy.[188]   This cooperation was complemented by the enhancement of our counterterrorism architecture; specifically, the creation of the Department of Homeland Security (DHS), the Office of the Director of National Intelligence, and the National Counterterrorism Center. These new intelligence components assisted in the disruption of "several serious plots."[189]

The updated Counterterrorism Strategy declared that terrorism does not originate from poverty, U.S. Iraq Policy, Israeli/Palestinian Conflict or our counterterrorism efforts.[190] It determined that terrorism is a result of "political alienation," "grievances that can be blamed on others," "subcultures of conspiracy and misinformation," and an "ideology that justifies murder."

In order to build upon its stated successes, the new Counterterrorism Strategy redefined the U.S. policy for winning the War on Terror. The new Counterterrorism Strategy identified several long-term and short term-goals. The long-term plan called for the "advancement of effective democracies as the long-term antidote to the ideology of terrorism."   Through these efforts, a U.S.-led "freedom agenda" supported effective worldwide democratic institutions' support of human liberty, freedom and dignity.[191] The new Counterterrorism strategy stated, "Democracy is antithesis of terrorist tyranny."[192]   This would "allow for ownership in society; rule of law with peaceful resolution; freedom of speech; and respect for human dignity."[193] The most perceptible measure of success for this element will be the establishment of free and fair elections. The Strategy cautions that democratic empowerment may increase the activity of "homegrown terrorists." [194]

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[187] The White House, "National Strategy for Combating Terrorism,"1.

[188] Ibid., 3.

[189] Ibid., 3.

[190] Ibid., 9.

[191] Ibid., 1.

[192] Ibid., 10.

[193] Ibid., 10.

[194] Ibid., 9.

The new Counterterrorism Strategy defined its short-term goal as the prevention of attacks by terrorist networks. To succeed, the new Counterterrorism Strategy called for an attack on terrorist leaders, operators, weapons, financial networks, communication activities and propaganda operations.[195] These goals will help to eliminate physical, legal, cyber and financial safe havens.[196] The strategy described offensive and defense goals and objectives. Defensively, the U.S. must deny terrorists international travel to include entry into the U.S. The U.S. must defend potential targets, including critical infrastructure and key resources. The Strategy warns that terrorists have sought to exploit our vulnerabilities by focusing their efforts on our soft targets: schools, restaurants, modes of transportation, historical attractions, high profile events and places of worship.[197]

Offensively, the U.S. must strive to deny the ability of rogue states, specifically Iran and Syria, to provide support and sanctuary to terrorist organizations.[198] The U.S. must also prevent terrorist organizations from gaining control of any nation. With this document, the U.S. hoped to institutionalize the War on Terror strategy for "long-term success." In doing so, the U.S. hoped to: establish and maintain international standards of responsibility; strengthen domestic and international partnerships; improve government structure and interagency partnerships; and promote intellectual and human capital improvement.[199]

In October 2007, the Homeland Security Council issued a new National Strategy for Homeland Security.[200] This strategy was written as a companion to the National Strategy for Combating Terrorism.[201] The new homeland security strategy outlined four goals:

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[195] The White House, "National Strategy for Combating Terrorism," 12.

[196] Ibid., 17.

[197] Ibid., 12-13.

[198] Ibid., 15-16.

[199] Ibid., 19.

[200] Homeland Security Council, *National Strategy for Homeland Security* (Washington, DC October 2007)

[201] Ibid. 15.

1.   Prevent and disrupt terrorist attacks;

2.   Protect the American people, critical infrastructure and key resources;

3.   Respond and recover to incidents; and

4.   Strengthen the homeland security "foundation."[202]

The most significant aspect of the new strategy is its acknowledgement that homeland security may encompass threats outside of terrorism. Although it failed to alter the official definition of homeland security, it took into account the expanded benefits from a robust homeland security system.[203]   This is in stark contrast to the earlier homeland security strategy that focused exclusively on terrorism. This appears to be the result of criticisms of the federal government's response to Hurricane Katrina. Another update was a redefinition of the threat. In the first homeland security strategy, our adversary was identified generically as terrorists.

The 2007 Homeland Security Strategy identified the terrorist threat as "violent Islamic terrorist groups and cells."[204] It calls on federal, state, local, tribal agencies and our citizens together in a collaborative environment. In a significant departure from earlier strategies, it outlines the federal government's role in the process.[205] It calls for the federal government to lead "where it has a constitutional mandate or where it possesses unique capabilities."   These unique capabilities include; border security, intelligence and weapons of mass destruction. [206]   The strategy re-confirms that "America's constitutional foundations of federalism and limited government…place significant trust and responsibilities in the capabilities of state and local governments to help protect the American people."[207] It also calls on the private and non-profit sectors, the American people and our international liaison partners to play a key role in the

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[202] Homeland Security Council, *National Strategy for Homeland Security,* 1.

[203] Ibid., preface.

[204] Ibid., 9

[205] Office of Homeland Security, *2002 National Strategy for Homeland Security.*

[206] Ibid.

[207] Ibid. 4.

national homeland security effort.[208]   The changes in the updated Homeland Security Strategy were brought about by our measured success in the War on Terror. Since the first Homeland Security Strategy, the U.S. has increased its counterterrorism effort, initiated a multi-layered approach to homeland security, secured the border, developed "targeted, risk-based delivery of federal grants" and developed a national homeland security exercise program. These efforts allowed the U.S. to disrupt "multiple, potentially deadly plots against the U.S. since September 11." [209]

Despite these successes, the strategy acknowledges several challenges that still need to be addressed. The most significant is the acknowledgement that the War on Terror is a "generational struggle." The threat posed by our adversaries will not be neutralized in a timely manner. The U.S. will need to design and implement adaptive counterterrorism strategies for the foreseeable future. In this struggle, because of its perceived length, the U.S. must guard against complacency. The strategy advises that the U.S. needs to "balance the sense of optimism that is fundamental to the American character with the sober recognition that despite our best efforts, future catastrophes— natural and man-made — will occur."[210]   Other concerns were homegrown radicalization, complacency, risk measurement, Foreign Intelligence Surveillance Act (FISA) reform and the re-alignment of congressional oversight committees.

The homeland security strategy identified the main threat as a "persistent and evolving terrorist threat, primarily from violent Islamic terrorist groups and cells."[211] The most significant of these threats continues to be al Qaeda. Since the attacks on 9/11, al Qaeda has been able to continue and evolve. Since the start of the War on Terror, al Qaeda has been able to protect its top leadership; replenish its operational lieutenants; shift its safe haven from Afghanistan to Pakistan and continue to increase cooperation

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[208] Office of Homeland Security, *2002 National Strategy for Homeland Security,* 5.

[209] Ibid. 5.

[210] Ibid. 6.

[211] Ibid. 9.

with regional terrorist organizations.[212] These factors have allowed al Qaeda to continue to possess "core capabilities" that could be used to facilitate another attack in the U.S.[213]

Despite the ability and intentions, the strategy acknowledges that the U.S. has only located "a handful" of U.S.-based terrorists who possessed links to senior al Qaeda leadership. However, these "small number(s)" of individuals raise the possibility that there may be others.[214]

To address these deficiencies, the 2007 Homeland Security Strategy sought to harness the national equities of U.S. power: diplomatic, informational, military, economic, financial, intelligence and law enforcement. In this strategy, our "national power" would be focused on the prevention, response to and recovery from natural and man-made attacks on our homeland.[215] Like early strategies, the prevention of terrorist attacks relies on our ability to identify and disrupt the development of terrorists and terrorist operations. A key component addressed the government's ability to prevent the radicalization of individuals into adherents of violent Islamic extremism.[216] This anti-radicalization element encouraged the engagement of "key communities" in the War on Terror. It called on law enforcement to identify and counter sources of radicalization. It stressed the need for federal, state and local agencies to "strengthen institutions and human resources" in order to educate law enforcement on Islamic culture and norms. In doing so, we should be able to progress our understanding of radicalism while we improve our cooperation and information-sharing capabilities.[217] Combined with the National Strategy for Combating Terrorism, the National Strategy for Homeland Security hoped to provide a prescription for victory in the War on Terror.

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[212] National Intelligence Council, "National Intelligence Estimate: The Terrorist Threat to the U.S. Homeland" (Washington, DC, July 2007).

[213] Homeland Security Council, *2007 National Strategy for Homeland Security,* 9.

[214] Ibid., 9.

[215] Ibid., 13-14.

[216] Ibid., 22.

[217] Ibid., 22.

These community-wide strategic documents are designed to direct all counterterrorist actions, particularly the Office of the Director on National Intelligence (ODNI) and its component organization the National Counterterrorism Center (NCTC). These strategies were augmented by department and agency-level strategies, specifically the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS). DHS is made up of twenty-two agencies, including, the Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), and the Office of Intelligence and Analysis within DHS headquarters.

In 2004, then Department of Homeland Security Secretary Tom Ridge announced the department's strategy in "Securing Our Homeland: U.S. Department of Homeland Security Strategic Plan."[218]   The DHS strategy declared the threat to be an "assault on the ideals that make our nation great."[219] To meet this threat, the DHS strategy called for DHS to "lead the unified effort to secure America."[220] With that mandate, DHS chose to focus on "protection and preparedness."[221] DHS hoped to accomplish this through seven inter-related goals: Awareness, Prevention, Protection, Response, Recovery, Service and Organizational Excellence.[222]

To accurately identify the threat, DHS focused on a multi-pronged effort to "gather and fuse" terrorism-related intelligence. Concurrently, they intended to "identify and assesses" the vulnerability of the U.S.'s critical infrastructure.[223]   In an effort to prevent a terrorist attack, DHS sought to secure the border, enforce trade and immigration laws and strengthen the nation's transportation systems.[224]

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[218] United States Department of Homeland Security, *Securing Our Homeland: U.S. Department of Homeland Security* (Washington, DC 2004).

[219] Ibid., 1

[220] Ibid., 5.

[221] Ibid., 1.

[222] Ibid., 10 – 35.

[223] Ibid., 10.

[224] Ibid., 14 – 18.

DHS sought to target these areas so they would be able to protect and safeguard "our people and their freedoms, critical infrastructure, property and economy from terrorism, natural disasters and other emergencies."[225]   If unable to accomplish these goals, the DHS strategy called for a response capability to "lead, manage and coordinate the national response (and recovery) to acts of terrorism, natural disasters and other emergencies."[226]   DHS hoped to accomplish these goals while developing an organization of excellence that was focused on its ability to facilitate lawful trade, travel and immigration.[227]

In 2003, the FBI issued its Strategic Plan for 2004-2009. In this plan, the FBI reiterated its number-one priority to protect the U.S. from terrorist attack.[228]   The FBI plan identified terrorism as the most significant national security threat to the U.S. The FBI plan established the FBI's goal is to prevent, disrupt and defeat terrorist operations *before* they occur. [229]

FBI investigations have revealed an "extensive militant Islamic presence in the U.S." The FBI determined these militants are involved in fundraising, recruitment and training. The FBI plan reiterated that they "could" also be activated to carryout attacks in the U.S. Of these militants, the FBI plan identified al Qaeda "attack cells" as the greatest threat.[230]

To accomplish this goal, the plan stated the FBI must "evolve to address tomorrow's threats."   The plan called for the development of an enterprise-wide intelligence program that focused on seven "global drivers:"[231]

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[225] United States Department of Homeland Security, *Securing Our Homeland: U.S. Department of Homeland Security* (Washington, DC 2004), 20.

[226] Ibid., 28.

[227] Ibid., 28–34.

[228] Federal Bureau of Investigation, *Federal Bureau of Investigation Strategic Plan 2004-2009* (Washington DC, 2003) http://www.fbi.gov/publications/strategicplan/stategicplantext.htm, 4.

[229] Ibid., 11.

[230] Ibid., 11.

[231] Ibid., 4.

1.   Global and domestic demographic changes;

2.   Communication revolution;

3.   Global economic changes;

4.   Rising international belief in anti-materialistic values;

5.   Technical revolution;

6.   Security technology revolution; and

7.   Changing role of states and laws.

By continually evaluating these drivers, the FBI plan hopes to address the fluid nature of today's asymmetric threat. The FBI plan predicted several changes in terrorist organizations. Specifically, a reduction in state-sponsored terrorism; an increase in independent terrorist organizations; an increase in cooperation between terrorist groups; and a continued interest in the possession and utilization of weapons of mass destruction.[232]

To meet the changing threat, the FBI plan called for the continued reliance on three key mission areas: intelligence, investigation and partnerships.[233] To prevent terrorist attacks, the FBI plan focuses on the expansion of the FBI's intelligence base; increasing human intelligence collection (HUMINT); increase partnerships on Joint Terrorism Task Forces (JTTFs); and provide timely, accurate intelligence and information sharing.[234] Second, the FBI plan calls for the FBI to deny terrorists the capacity to plan, organize and carryout logistical, operational and support activities. To accomplish its deniability goal; the FBI plan calls for the enhancement of operational and intelligence emerging techniques; increased foreign liaison and the utilization of appropriate sanctions.[235]

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[232] Federal Bureau of Investigation, *Federal Bureau of Investigation Strategic Plan 2004-2009,* 6.

[233] Ibid., 8.

[234] Ibid., 13.

[235] Federal Bureau of Investigation, *Federal Bureau of Investigation Strategic Plan 2004-2009*, 14.

The FBI, fortunately, realizes that it may not be able to prevent all terrorist attacks. Consequently, the FBI plan calls for the capacity to provide incident response and investigative capabilities. In particular, the FBI plan calls for the expansion of its Fly Team and Rapid Deployment Teams; increased crisis management capabilities within FBI field offices; and increased crisis management training. The FBI plan provides clear guidance for the identification and response capabilities for weapons of mass destruction. The FBI plan outlines field office requirements for divisional weapons of mass destruction coordinators. These coordinators are mandated to develop a WMD working group within each field division.[236] Throughout its plan, the FBI acknowledges its past mistakes, identifies its current capabilities and provides guidance for its continued transformation into a domestic security service focused on the protection of our homeland.

Many states and local homeland security agencies have adopted key recommendations from the various federal strategies. In particular, many agencies have adopted the need to develop a robust domestic intelligence collections capability. In an effort to become a more effective consumer and producer of intelligence, many state, local and tribal agencies have adopted an intelligence-led policing strategy. This strategy focuses on the operational environment of a particular law enforcement agency. Environmental intelligence is utilized by decision makers within all levels of homeland security to create a more effective homeland security strategy.[237]

As documented above, the U.S. has a developed a broad national counterterrorism strategy. This strategy, unfortunately, does not address the current terrorist threat to the U.S. Conceptually, the U.S. counterterrorism strategy fails to comprehend the actual threat posed by radical Islamic terrorists. The next chapter will attempt to solidify the actual threat posed by radical Islamic terrorists. These strategies do not address the most common criticisms of our counterterrorism apparatus. As outlined in the previous

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[236] Federal Bureau of Investigation, *Federal Bureau of Investigation Strategic Plan 2004-2009*, 15.

[237] Ray Guidetti, *New Jersey State Police Practical Guide to Intelligence-led Policing* (Center for Policing Terrorism at the Manhattan Institute (New York, NY, September 26, 2006) https://www.hsdl.org/?view=/docs/dod/nps03-101706-01.pdf [Accessed January 29, 2007], 2.

chapters, there is a significant divergence of opinions as to the threat posed by radical Islamic terrorists. To develop and implement a unified strategy, the U.S. must make a practical examination of the actual threat posed by radical Islamic terrorists. The next chapter will attempt to place the threat in an appropriate context. Once completed, this will allow us to design a practical counterterrorism strategy for the U.S.

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V.   THE THREAT

No one can terrorize a whole nation, unless we are all his accomplices.

— Edward R. Murrow [238]

For the past several decades, the U.S. has strived to identify and respond to the tangible threat posed by radical Islamic terrorist organizations. By definition, terrorists operate in a clandestine environment in which they hope to manipulate and influence the public's perception of their goals and capabilities. In this capacity, radical Islamic terrorists have been extremely successful. The attacks on 9/11 had a significant impact on American's psyche that far outweighed the physical costs of the attacks. As documented in earlier chapters, the U.S. has been unable to come to a consensus on the threat posed by radical Islamic terrorist organizations. Although significant, the attacks on 9/11 need to be placed into a proper context in order to fully understand their implications. Building upon the issues and evidence identified in earlier chapters, this chapter will provide an overview of the current threat.

Radical Islamic terrorist organizations are a significant threat to the U.S. and its interests. Their ideology and actions, however, do not have a direct ability to destroy our way of life. This does not mean we are invulnerable. The U.S. must calculate the current threat and design and implement an effective counterterrorism strategy. It is essential that we recognize that our reaction to terrorists and terrorist attacks can have a more negative impact on our way of life than an actual terrorist attack. With this in mind, it is imperative that we view the threat in the proper context. This framework will strengthen the U.S. ability to counteract the threat and strengthen our country.

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[238] Lustick, *Trapped in a War on Terror*, 6.

A.   HISTORY

The U.S. is, arguably, the world's sole remaining superpower. If history is any indication, we will not be the last. As the U.S. constantly evaluates its place in the world, it is important to remember how we arrived at this juncture. To assess our role, it is necessary to take a look at where we have been.

On the eve of World War II, the U.S. was embroiled in the Depression. Large portions of our citizenry were out of work. The Franklin D. Roosevelt Administration established an expanded social welfare system that enabled numerous individuals to function during this crisis.[239]   At the same time, many individuals and governments correctly identified the rise of the Nazi party in Germany as a threat to civilization. At the start of the war, Nazi Germany possessed the world's largest and most technologically advanced army.[240]   Germany's military prowess was displayed in the invasions of Poland and France.   The German/USSR treaty solidified Germany's dominance in the world. Germany, in words and actions, had established its desire and ability to dominate Europe and, if possible, the rest of the world.[241] At the same time, the Japanese attack on Pearl Harbor and the subsequent Declaration of War brought the U.S. into direct confrontation with Japan and its allies, Germany and Italy.[242] In response, the U.S. and its allies fought and won a decisive war that would have implications for the remainder of the twentieth century and into the next.   Throughout the war, in which millions of civilians and combatants lost their lives, the U.S. civilian population remained relatively secure. Although the threat of invasion remained, most Americans believed that the U.S., and its allies, would be successful in stopping the spread of violence to the U.S. mainland. Through extensive military, diplomatic and intelligence operations, the U.S. was able to make that a reality.

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[239] The White House, "Franklin D. Roosevelt," The White House Website, http://www.whitehouse.gov/history/presidents/fr32.html [Accessed February 5, 2008].

[240] Stephen E. Ambrose, "D-Day June 6, 1944: The Climatic Battle of World War II" (Touchstone, NY, NY 1994), 27–28.

[241] Doris Kearns Goodwin, *No Ordinary Time* (Touchstone, NY 1994) 18, 42–44.

[242] Ibid., 297–299.

The end of World War II brought the rise of the Cold War, a battle between Democracy and Communism.   In this fight, the U.S. and the Soviet Union supported a worldwide clash for power. The U.S. and the Soviet Union utilized economic, social, military and intelligence means to influence and control proxy governments.   This influence allowed the two countries to compete without ever engaging in a direct military conflict.[243]

With the collapse of the Soviet Union, the Cold War was over. For the first time in more than sixty years, the U.S. found itself without a worldwide adversary. A lack of significant military and economic competition provided the U.S. with the ability to evaluate its new position in the world. This discourse focused on the ability of the U.S. to ensure its social, economic and physical well-being.   As the only remaining superpower, many believed we had the power to unilaterally mandate our place in the world. Since the end of World War II, the only recognized threat to the U.S. was from other state actors. Of these threats, only those countries that possessed nuclear weapons were deemed true threats. The capabilities of non-state actors played a limited role in our internal debate over the security of our homeland.

The continental U.S. had not been attacked from an outside military force since the War of 1812.   This created a psychological perception of invulnerability.   The perceived invulnerability has played an immeasurable role in the overall development of the U.S. national security strategy. Many believed we were effectively impervious to a significant domestic attack.   It was believed that the policy of mutually assured destruction and the collapse of the Soviet Union effectively neutralized the threat of nuclear war.

Unknown to most Americans at the time, but clearly evident now, was the rise of radical Islamic terrorist organizations. Since the mid-1990s, radical Islamic terrorists, particularly al Qaeda, had increased their rhetoric and attacks against the U.S.[244]

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[243] John J. Mearsheimer, "Why We Will Soon Miss the Cold War," *Atlantic Monthly,* August 1990 http://www.theatlantic.com/politics/foreign/mearsh.htm [Accessed February 5, 2007].

[244] Public Broadcasting Service, "Frontline: Osama bin Laden v. the U.S.: Edicts and Statements," PBS.org, http://www.pbs.org/wgbh/pages/frontline/shows/binladen/who/edicts.html [Accessed February 5, 2008].

Terrorism was viewed as primarily a law-enforcement problem. The U.S. designated the Federal Bureau of Investigation as the lead federal agency responsible for counterterrorism.[245]

The attacks of 9/11 were the culmination of al Qaeda's actions and statements.[246] Prior to the attacks, prominent counterterrorism experts, in and outside of the government, provided ample warning to our leaders about the inevitability of a significant domestic terrorist attack. These warnings went unheeded.[247] Many leaders viewed the threat and attacks as the cost of remaining the world's sole superpower.

The events of 9/11 provided an unwelcome view of our ever-present vulnerabilities. The attacks, unfortunately, caught the majority of the U.S. completely unaware. This lack of awareness has had a deep psychological impact on the nation. It has had an effect on the evaluation of the perceived economic and physical costs of the attacks. Our nation's invulnerability was fully ingrained in the culture of our society. The attacks shattered that illusion. It caused our citizenry to question the very foundations of our nation. For the first time in generations, the civilian population of the U.S. was threatened from the outside. The sense of vulnerability was enhanced by the government's inability to define the threat and to develop a coherent plan to defend against further attacks.

It is with this understanding that we can evaluate our response to the attacks and prepare ourselves for the future. The general ignorance of terrorism by our leaders and the citizenry influenced the way in which we would define and fight this new problem. On September 20, 2001, President Bush declared a War on Terror.[248] In his address, President Bush defined our enemy as al Qaeda and "every terrorist group of global

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[245] Clinton, "Presidential Decision Directive – 39."

[246] Public Broadcasting Service, "Frontline."

[247] National Commission on the Terrorist Attacks Upon the United States, *9/11 Commission Report,* (Washington, DC, July 22, 2004) 254–258.

[248] George W. Bush, "Address to Joint Session of Congress and the American People" (Washington, DC, September 20, 2001) http://www.whitehouse.gov/news/releases/2001/09/20010920-8.html, [Accessed September 15, 2007].

reach."[249]   Their goal is "remaking the world — and imposing its radical beliefs on people everywhere."[250]   President Bush declared that, "freedom and fear are at war."[251] After defining the War on Terror, President Bush warned that was not going to be "one battle, but a lengthy campaign."[252]   At stake was our country's existence. President Bush advised that the War on Terror was the "world's…and civilization's fight."[253]   This speech set the guidelines for the way in which the U.S. would confront terrorism.

At the time, the speech seemed appropriate to the perceived threat. Now, more than six years later, we must reevaluate its relevance in context of the current threat. As with any threat, we must take into account a wide variety of factors. The U.S., regardless of our actions, will always be vulnerable to terrorism. No matter what we do, how much we spend, whom we arrest, kill or invade, we will be vulnerable. The question becomes, "What is the threat?"

An evaluation of the threat illustrates two inarguable facts:

1.   Radical Islamic terrorist organizations are active throughout the world;

2.   The U.S. homeland has not been attacked by radical Islamic extremists since 9/11.

These divergent facts indicate that something may be different in the U.S. than in the rest of the world. A review and analysis of these differences will help the U.S. to devise a more effective counterterrorism strategy.

B.   DOMESTIC

The definitive government evaluation of the current threat, the National Intelligence Estimate (NIE), indicates that the U.S. will face a "persistent and evolving terrorist threat over the next three years." The main threat to the U.S. would be from

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[249] Bush, "Address to Joint Session of Congress and the American People."

[250] Ibid.

[251] Ibid.

[252] Ibid.

[253] Ibid.

Islamic terrorists, especially al Qaeda. The NIE assesses that, "al Qaeda has protected or regenerated key elements of its homeland attack capabilities." The NIE argues that al Qaeda will "intensify" its efforts to bring its operatives into the U.S. According to the report, al Qaeda will continue to focus its attack planning on "prominent political, economic and infrastructure targets."[254] The goal of these attacks will be to provide innovative, "visually dramatic" destruction, inflict mass casualties and cause significant economic aftershocks. This assessment was supported by the February 2008, Director of National Intelligence's Annual Threat Assessment for the Senate Select Committee on Intelligence.[255] The DNI Threat Assessment highlighted the overseas threat posed by al Qaeda and other radical Islamic terrorist organizations. In particular, it illuminated a resurgent al Qaeda in the Federally Administered Tribal Areas (FATA) of Pakistan. The DNI estimates that this has allowed al Qaeda to improve the last critical areas of preparation needed to attack the U.S. homeland.[256] The NIE noted that al Qaeda continues to express a desire to obtain and utilize weapons of mass destruction.[257] A key point to make is that neither the NIE nor the DNI Annual Assessment says that radical Islamic terrorists pose a threat to the existence of the U.S. In fact, in the past year, the U.S. has only disrupted two plots tied to radical Islamic terrorists.[258]

In May 2007, the FBI disrupted a group of European and Arab Muslim immigrants who had planned to attack Ft. Dix, New Jersey.[259] Since the arrests, some have called into question the actual threat posed by this group. Although they were clearly intent on causing harm, it has been shown that these individuals did not have the capability to conduct a large-scale attack on the U.S. In no way should this minimize the

[254] National Intelligence Council, "National Intelligence Estimate: The Terrorist Threat to the U.S. Homeland" (Washington, DC, July 2007). 5.

[255] J. Michael McConnell, *Annual Threat Assessment of the Director of National Intelligence for the Senate Select Committee on Intelligence* (Office of the Director of National Intelligence, Washington, DC, February 5, 2008), 4–7.

[256] Ibid., 6.

[257] Ibid., 5.

[258] Ibid., 10.

[259] Dale Russakof and Dan Eggen, "Six Charged in Plot to Attack Fort Dix," *The Washington Post May, 9, 2007)* A1.

actions of law enforcement; however, it does indicate that the FBI and its partners are in a position to successfully identify and disrupt these types of operations prior to an attack.[260]

In June 2006, the FBI disrupted a plot by seven individuals in Miami, Florida, who planned to attack the Sears Tower in Chicago, Illinois. At the time of the arrests, FBI Deputy Director John Pistole described the group as "more aspirational than operational."[261] Once again, a newly re-designed FBI and its enhanced homeland security partners were able to successfully identify and disrupt and attack before it occurred.

The scope and aspirations of these radical Islamic terrorists pale in comparison to other terrorists operating outside of the U.S. An examination of these external threats leads one to believe that the threat is real and may be growing.

C.   INTERNATIONAL

The U.S. is not Europe, the Middle East or South East Asia. We are geographically and culturally separated. The Muslim population in the U.S. is significantly different from a majority of other countries. A Pew Research Institute study indicated that U.S. Muslims are better off financially and are more mainstream than their U.K. counterparts.[262] As a result, Muslims in U.K. and Western Europe are also significantly more extreme than their equivalents in the U.S.[263] It is important to remember that what happens in these countries does not mean it is predestined to happen in the U.S.

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[260] Amanda Ripley, "The Fort Dix Conspiracy" (*Time Website,* December 6, 2007) http://www.time.com/time/nation/article/0,8599,1691609,00.html [Accessed February 6, 2008].

[261] CNN, "Indictment: Suspects wanted to 'kill all the devils we can'" (CNN Website, June 24, 2006) http://www.cnn.com/2006/US/06/23/miami.raids/index.html [Accessed February 7, 2008].

[262] Pew Research Center, "Muslim Americans: Middle Class and Mostly Mainstream" (Pew Research Center Website, May 22, 2007) http://pewresearch.org/pubs/483/muslim-americans [Accessed February 7, 2008].

[263] Ibid.

Since 9/11, the U.K. has been victim to two terrorist attacks as well as numerous plots that were thwarted by intelligence agencies and law enforcement. In November 2006, Dame Eliza Manningham-Buller, head of the British Security Service (MI-5), confirmed that they have a significant number of radical Islamic terrorists who were actively engaged in plotting, or facilitating, terrorist acts in the U.K.[264] This is in sharp contrast to the statements made by homeland security executives in the U.S.[265] As outlined above, the threat to the U.S. homeland is very different from the threat posed to our European allies. It is essential that we keep this in mind when we evaluate and assess the threat to the U.S.

Proponents of the clash of civilizations model view the threat as a generational struggle between civilizations. In *The West's Last Chance,* senior editor for the *Washington Times* Tony Blankley argues that the West is engaged in a battle where the "Threat is every bit as great…as was the threat of the Nazis taking over Europe in the 1940s."[266] Blankley argues that the threat is not limited to radical Islamic extremists, but includes all Muslims.[267] This is hypothesis is not true and may actually be making things worse. Mike McConnell, the Director of National Intelligence, believes this "us versus them" narrative is actually hurting our fight and may actually serve as a "platform and catalyst" for the radicalization process.[268]

Unlike Nazi Germany and the former Soviet Union, there is not a clearly identified radical Islamic leader or organization. Usama bin Laden and al Qaeda may serve as an inspirational guide, but they do not control all radical Islamic terrorists or even a significant portion of them. Furthermore, Radical Islamic fundamentalism is not a single unified force within Islam. Samuel Huntington illustrates the division when he discussed his clash of civilizations model.[269] Islam, like most religions, is made up of

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[264] Eliza Manningham-Buller, Speech at Queen Mary's College (London, November 9, 2006) http://www.mi5.gov.uk/output/Page374.html [Accessed November 24, 2007].

[265] McConnell, *ODNI Annual Threat Assessment, 4–7.*

[266] Tony Blankley, *The West's Last Chance* (Washington, DC: Regenery Publishing, Inc., 2005), 2.

[267] Ibid., 23.

[268] McConnell, *2008 ODNI Annual Threat Assessment, 9.*

[269] Huntington, *The Clash of Civilizations, 78.*

different groups and/or sects that profess differing interpretations of the religions tenants. In Islam, the largest separation is between the Sunni and Shia sects. Within this division, each group possesses its own version of extremists. Al Qaeda and its affiliates are often described as adherents of the Salafi or Wahabbi sects of Sunni Islam.[270] Afghanistan and Iraq are only the most recent examples of civil strife between various Islamic sects.

DHS Secretary Chertoff's 2007 Op-ed for the *Washington Post* continued to perpetuate the clash of civilizations mythos when he stated that the current threat is comparable to "historical totalitarian ideologies."[271] As with many other clash of civilizations adherents, Chertoff utilizes Usama Bin Laden and other al Qaeda members declarations of war against the U.S. as evidence of a war. This viewpoint, unfortunately, perpetuates they myth that radical Islamic terrorist are an omnipresent and unified group bent on the destruction and domination of the U.S. Instead, the U.S. needs to focus on Chertoff's later advice to evaluate radical Islamic terrorists by their "intent, capability and consequence."[272] In order to confront the threat, the U.S. must place the threat in proper context. Chertoff writes that radical Islamists have started a war to dominate all countries. These "clash of civilizations" evaluations elevate the threat to an omnipotent organization capable of destroying the U.S.

What is clear, despite all the rhetoric, is that terrorists do not possess the ability to destroy the U.S. The most significant damage caused by terrorist attacks continues to be our response to them. As a country, our most dangerous enemies continue to emanate from outside the U.S. In order to minimize the overall damage, we must focus our counterterrorist efforts on the external terrorist threat. Building upon the framework discussed in previous chapters, the final chapter documents the current status and offers a framework to increase the safety of the U.S.

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[270] Margaret K. (Omar) Nydell, *Understanding Arabs* (Intercultural Press, Inc., Yarmouth, Maine, 2002), 103–113.

[271] Michael Chertoff, "Make No Mistake: This Is War," *The Washington Post*,(April 22, 2007): B07.

[272] Ibid., B07.

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VI. THE TRUE CONFLICT: A RADICAL ISLAMIC INSURGENCY

For the past several decades, the U.S. has strived to identify and respond to the tangible threat posed by radical Islamic terrorist organizations. Previous chapters outlined the current counterterrorism strategy, prevalent criticisms and evaluation of the current threat. In the final chapter, I will synthesize my conclusions into a strategic memorandum to the next president of the United States. It is my hope, that this memorandum will influence the development of the next phase in our struggle against radical Islam.

To: Mr. (Mrs.) President

From: Thomas J. Sobocinski

Subject: The True Conflict: A Racial Islamic Insurgency

A.   INTRODUCTION

As president, you will be called upon to address many issues and crises. Terrorism will, obviously, be at the forefront of your concerns. In order to prepare yourself for this confrontation, you must understand several key areas.

Most important, the U.S. is not engaged in a war on terror. Radical Islamic terrorists are only a symptom of a much larger problem. The U.S. is confronted with a radical Islamic insurgency. Our current counterterrorism strategy is ineffective, and may actual hurt our ability to defeat this insurgency. To increase the safety of our nation, it is vital that you implement an effective counterinsurgency strategy towards radical Islam. Failure to properly focus our external counterinsurgency operations could have a devastating effect on the terrorist threat inside the U.S.   The U.S., thankfully, is not

embroiled in a domestic insurgency. Our domestic counterterrorism apparatus has been, and will continue to be, effective against the minimal presence of domestic radical Islamic terrorists.

B. CURRENT STRATEGY

As with any job, it is important to learn from your predecessor's successes and failures. Your predecessors' legacy will be based upon his response following the events of September 11, 2001. After the attacks, President Bush declared a war on terror. Like the "wars" on drugs and poverty, the war on terror is an inadequate slogan used to soothe a scared nation. This jingle, unfortunately, has served as a template for the conduct of our counterterrorist operations.

In order to defeat our adversaries and increase the security of our homeland, it is crucial that we correctly identify and evaluate actual threats to national security and design a strategy to limit their impact. The threat, while real, is not as omniscient as you were led to believe. Usama bin Laden, al Qaeda, and other radical Islamic organizations clearly intend to attack the U.S. They will be successful. As president, you will be unable to prevent them from doing so. This, however, does not mean you are powerless.

In reality, we are engaged in a battle against a radical Islamic insurgency. Thankfully, this insurgency has yet to develop inside the U.S. Internally, our adversaries are classic terrorists; their domestic support networks are minimal, and the most effective terrorist operators will originate from small cellular groups — or will be individual actors motivated by external propaganda. The U.S., thankfully, has been extremely successful at identifying and neutralizing these threats. The changes brought about the attacks on 9/11 have further strengthened our domestic counterterrorism capabilities.

Unfortunately, overall, our counterterrorist operations work against us in this global insurgency. Our current counterterrorist operations are designed to capture and kill terrorists. To minimize this insurgency, it is essential that we alter our strategy from counterterrorism to counterinsurgency. Counterterrorist operations focus on the identification and neutralization of the terrorist threat. In counterterrorism operations, the threat emanates from the terrorist members. In counterinsurgency operations, the

violent terrorists are but a small participant in the overall fight. Terrorism is a symptom of the overall problem. Counterinsurgency operations focus on the populations that house and recruit terrorists. Counterinsurgency operations have a comprehensive view of individuals and networks that support insurgent activities. To adequately protect the U.S, we must develop a strategy that reflects these differences in the domestic and international threat.

C.   THE THREAT

For decades, the U.S. has strived to define the threat posed by radical Islamic terrorists.   In the 1960s and 1970s, the U.S. experienced the development of violent, domestic, left-wing terrorist organizations. In the 1970s and 1980s, the U.S. faced a rash of overseas kidnappings and hijackings. In the 1990s, the U.S. saw a rise in significant domestic attacks and an increase in coordinated attacks against our military and diplomatic interests abroad.[273]   On September 11, 2001, the U.S. experienced its worst domestic attack. This attack had a momentous impact on the United States. Although the attacks had a limited physical impact, the psychological impact was enormous. For the first time since 1812, the U.S. was the victim of a violent attack perpetrated by external forces on U.S. soil.

The most current national threat assessment issued by the Office of the Director of National Intelligence reveals that the most significant threat to the U.S. stems from radical Islamic terrorist organizations.[274] Unfortunately, these groups are a small subset of a growing radical Islamic insurgency. Radical Islamic terrorist organizations, such as al Qaeda, make up a small percentage of this insurgency. The actions of these terrorist organizations are primarily focused on their own governments and citizenry. However, many radical Islamic terrorist groups have banded together to support terrorist operations against the U.S. and its allies.

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[273] The United States Department of State, "Significant Terrorist Incidents, 1961–2003: A Brief Chronology" (Department of State Website, Washington, DC, March 2004) http://www.state.gov/r/pa/ho/pubs/fs/5902.htm [Accessed March 8, 2008].

[274] McConnell, *Annual Threat Assessment of the Director of National Intelligence for the Senate Select Committee on Intelligence* (Office of the Director of National Intelligence, Washington, DC February 5, 2008), 4–7.

The U.S. is, thankfully, not encumbered with a domestic radical Islamic insurgency. Radical Islamic terrorists inside the U.S. are extremely rare and appear to be unrelated to successful radical Islamic terrorist organizations such as al Qaeda.[275] The post-9/11 changes in our domestic counterterrorism capabilities have successfully prepared the U.S. to identify, disrupt and respond to domestic terrorist attacks. We will not prevent all attacks; however, these changes provide an optimum level of protection. In order to reduce the international radical Islamic insurgency and prevent a rise in internationally directed terrorist attacks against the U.S., it is necessary that the U.S. adopt a global counterinsurgency strategy.

D.   RADICAL ISLAMIC INSURGENCY

Radical Islamic terrorists understand that they will never be able to defeat the U.S. in a direct military confrontation. Consequently, they have chosen to engage in a global insurgency. The U.S. Army and Marine Corps *Counterinsurgency Field Manual* defines and insurgency as "an organized movement aimed at the overthrow of a constituted government through the use of subversion and armed conflict."[276]

To thwart this insurgency, the U.S. must recognize and acknowledge the insurgency's goals and objectives, and construct a unified plan to counteract them. At their root, global Islamic insurgent groups believe the U.S. has attacked Islam. In response, they believe they are engaged in a defensive jihad. A significant portion of this jihad is focused on the removal of apostate Middle Eastern regimes and the restoration of Islamic caliphate.[277]

In insurgent warfare, like terrorism, the most powerful weapon available is fear. Insurgents will utilize all available networks to convince you and your fellow political

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[275] McConnell, ODNI Annual Assessment, 9.

[276] U.S. Department of the Army, *Counterinsurgency Field Manual* (The University of Chicago Press, Chicago and London, 2007) 385.

[277] David J. Kilcullen, New Paradigms for the 21st Century Conflict (eJournalUSA) http://usinfo.state.gov/journals/itps/0507/ijpe/kilcullen.htm [Accessed September 23, 2007] 15.

leaders that it would be easier to capitulate than it would be to continue to fight.[278] Insurgencies are focused on winning the war, not the battle. The global radical Islamic insurgency has the potential to develop into a long-term, leaderless struggle of ideas that utilizes networks to manipulate you and your fellow leaders' decision-making processes.

Put simply, radical Islamic insurgent organizations, such as the Taliban in Afghanistan, strive to force the world to conform to the beliefs and practices of early Muslim tradition. These groups believe modern life has corrupted Islam. As a result, they do not recognize or endorse current leaders in historically Muslim countries. Many of these groups view the United States and its allies as the main proponent of these illegitimate regimes. As a result, these groups hope to wage a combined holy war, or jihad, on current regimes in Muslim countries and in the U.S. Al Qaeda is the most notable terrorist organization associated with these beliefs.

Unlike our more traditional adversaries, radical Islamic terrorist groups are not hierarchically directed movements; they possess no single leader. Instead, strategic and tactical leaders emerge at specific times for specific events. This lack of structured leadership makes insurgent warfare extremely difficult to combat. This does not mean a strike against leadership is ineffectual; however, it is not as effective as in a conventional conflict.

The global Islamic insurgency movement utilizes transnational networks to conduct its battles. These networks encompass all aspects of an insurgency — military, economic, communication, political, social and intellectual. These groups cross conventional boundaries and are in a symbiotic relationship with one another. Consequently, they are extremely difficult to locate and disrupt. These groups and individuals do not have to share a common belief in the Islamist's cause. The networks are based on mutually beneficial relationships. The loyalty and cooperation of these groups will ebb and flow throughout the relationship.

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[278] Thomas X. Hammes, *The Sling and the Stone: On War in the 21st Century,* Zeneth Press, 2006. Osceola, WI. 208.

While conventional wars rely on military force, an insurgency's power comes from its ideas. In today's environment, no country or terrorist group has the ability to fight a direct battle against the U.S. As a result, radical Islamic insurgents must rely on other means. Unlike conventional warfare, an insurgent's most powerful weapon is fear. Successful insurgents are adept at formulating a public relations campaign to increase the spread of fear. Because this is a battle of ideas, Islamic insurgents tailor most of their actions to support their overall public relations strategy. Islamic insurgents use a variety of channels to propagate a targeted message. These include the Internet, training, non-profit organizations and the media. In particular, the Web provides terrorists throughout the world with a simple, anonymous, inexpensive and far-reaching means by which they can communicate with one another. This has allowed Islamic terrorists to create the perception of a personal relationship with all of its members.

This strategy is supported by the insurgency's unique internal and external communication goals. A clear example of this is the divergent propaganda material issued in English versus Arabic. An examination of Arabic media illustrates these differences. Islamist leaders routinely issue contradictory statements to each audience. Tactical events, attacks and battles are just a means used to manipulate internal and external opinion.

Islamic insurgents understand they are engaged in a lengthy struggle. They anticipate that this struggle will be fought over decades, not months and years.[279] In comparison, the U.S. appears to be unprepared for a fight of that duration. Since the Vietnam War, our leaders and citizens have become accustomed to short, bloodless wars. As displayed in Afghanistan and Iraq, if this is not accomplished, our government is unable, or unwilling, to refocus its strategy. Because an insurgency is not a purely military struggle, it cannot be restricted into a conventional battlefield or a narrow timeframe. Insurgent organizations do not have a fixed infrastructure. As a general rule, this allows them to focus on offensive operations. They rely on their supporters to provide the day-to-day logistical support.

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[279] Hammes, *The Sling and the Stone,* 208.

Although we are engaged in a struggle against a radical Islamic insurgency, the U.S. is not engaged in a clash of civilizations. As evidenced by the current dissention within Islam, the Muslim world is neither unified nor bent on the overthrow of Western civilization. Classifications such as these empower our enemies and ultimately hurt our ability to fight radical Islamic terrorists. Insurgents turn these generalizations into radical Islamic propaganda that reinforces belief amongst their members, and others, that this is a war between Islam and the West.[280]

E.   COUNTERINSURGENCY STRATEGY

Since 9/11, the U.S. has expended considerable time, resources and lives on confronting the radical Islamic terrorist threat. During this time, it has become clear that we are not moving in the right direction. The U.S. needs to concede that it is engaged in a long-term struggle against radical Islam.   This, understandably, makes many Americans uncomfortable. The U.S. is a religiously pluralistic society. The constitution clearly affords the American citizenry the ability to worship, or not, in whichever manner they choose. A struggle against radical Islam will force us to question the ideals that make up the foundation of our society. Consequently, it is imperative that we develop and utilize a strategy the does not diminish the qualities that make our country what it is.

My purpose in writing you is not to put forth a new, all-encompassing counterinsurgency strategy; these already exist.[281] My intention is to encourage you to adopt one of these strategies so that the U.S. may effectively combat the true threat to our nation.   Having said that, I believe it is essential that the U.S. implement a counterinsurgent strategy that will neutralize the growing reach of radical Islam.

Our current strategy — brought about by the war on terror — has crippled the United States' ability to effectively counteract the radical Islamic insurgency. Our sole focus on capturing and killing terrorists is destined for failure. These groups continue to be able to regenerate after each loss. This strategy limits the resources available to

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[280] Hammes, *The Sling and the Stone,* 9.

[281] U.S. Department of the Army, *Counterinsurgency Field Manual.*

confront the threat. A counterinsurgency strategy will allow us to utilize all of our governmental and non-governmental national assets.

Despite the significant changes is our national security apparatus, the U.S. government continues to be structured confront conventional threats. Our bureaucracies are made up of hierarchical organizations. By design, these organizations are focused on divergent and specialized missions. In order to confront a global Islamic insurgency, you must implement a system by which all of these assets are leveraged toward one unified goal, the reduction of radical Islam.

To be successful, the U.S. must acknowledge that this is a worldwide battle. Ideas are not confined by geographical boundaries and neither should America's national security strategy. Our current system, which includes the Department of Defense, Department of Homeland Security, and other U.S. Intelligence Community agencies — specifically the Federal Bureau of Investigation and the Central Intelligence Agency — restricts effective collaboration. None of these organizations are situated to lead the U.S. in a global counterinsurgency operation. All of these organizations, except for small components, are designed to defend against defined threats — specifically, offensive operations directed at capturing or killing terrorist leaders. Regardless of their "success," these tactics will not allow us to win the war.

A global counterinsurgency strategy must focus our resources on counteracting our opponent's war of ideas. The personnel and organizations needed for this are far different from the ones utilized for a war on terror. In a counterinsurgency, we must merge our current homeland and national security organizations with a variety of individuals and organizations not currently utilized in counterterrorist operations. These specialties should include linguists, sociologists, psychologists, theologians, and experts in health, education, critical infrastructure and geopolitics.

The U.S., unfortunately, does not have an identified leader for the integration of these disciplines. You must clearly articulate a desire for the development, and implementation, of this counterinsurgency strategy. This entity (or individual) must possess the authority to mandate operational decisions within our national security

apparatus. Once designated, this organization should assist you in guiding the operations of our diplomatic, homeland security, military and intelligence agencies.

If we are to succeed, we must first understand the "war" we face. This is a war of ideas, not bullets. It has no geographical boundaries or armies. We must create a system within the U.S. to evaluate and counteract these ideas. Experts should be utilized to provide an increase in the health, education and socio-economic status of populations who are vulnerable to insurgent influence. This will allow the U.S. to re-focus these populations into behaviors and actions that are beneficial to the U.S. Only through this framework will we be able to detect, deter and defeat the threat we face from global Islamic extremists.

F.   HOMELAND SECURITY SUCCESS

A positive development in the war on terror brought a heightened awareness and increased coordination on counterterrorism operations. These changes have significantly increased the capabilities of the United States domestic counterterrorism apparatus. Unfortunately, the costs of these changes are not proportionate to the amount of security. Since the attacks, the U.S. intelligence community has clearly documented its ability to identify and disrupt terrorist attack planning. The newly redesigned FBI, combined with the expanded role of state and local law enforcement, has significantly contributed to the increased capabilities of the U.S. domestic counterterrorism apparatus. These changes have provided the U.S. with an adequate platform to protect its citizens from the domestic counterterrorism threat. To reduce radical Islamic insurgents' use of fear, it is important that the U.S. communicate this increased sense of safety to its citizens. The current dialogue, unfortunately, continues to focus on our vulnerabilities. While a realistic perspective is important, it needs to include a rational assessment of the domestic threat posed by radical Islamic terrorists. This assessment, combined with a review of our restructured domestic counterterrorism capabilities, should provide the information needed to calm our citizenry.

Thankfully, the U.S. is not battling a domestic radical Islamic insurgency. The domestic threat posed by radical Islamic terrorists is significantly less than the threat to

our international allies. In comparison, the U.S. has successfully identified and disrupted most radical Islamic terrorist attacks directed at the U.S. homeland. The most notable exceptions were the 1993 attack on the World Trade Center and the follow-on attacks on 9/11. Prior to 9/11, the U.S. recognized the growing threat from radical Islamic terrorists. As a result, they initiated a gradual shift within its domestic counterterrorism infrastructure. As the events of 9/11 illustrated, these changes, unfortunately, were not enough.

To address these deficiencies, the U.S. instituted revolutionary changes in the way in which it conducts domestic counterterrorism operations. As an immediate solution, the U.S. enacted the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001.[282]   This provided an immediate solution to the division between law enforcement and intelligence. Until its passage, law enforcement and intelligence agencies were unable to, or were unclear about, their ability to share intelligence information. The FBI, in an extreme example, established separate intelligence from law enforcement investigative units that targeted the same radical Islamic terrorists. Although bureaucratic obstacles remained, the Patriot Act provided unambiguous guidance for intelligence-related information sharing and coordination. The Patriot Act also provided enhancements to the Foreign Intelligence Surveillance Act of 1978.   These changes provided the legal authority for the U.S. to expand its interception of electronic communications. These changes were needed because of the significant technological enhancements of electronic communication. The Internet and cellular telephone communications have become the primary means of communication for significant portions of the world, including terrorists.

In an attempt to alter bureaucratic concerns, in March 2003 President George W. Bush created the Department of Homeland Security (DHS).[283]   DHS combined more

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[282] Public Law, "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001."

[283] George W. Bush, *Proposal for the Creation of a Department of Homeland Security* (The White House, Washington, DC, June 2002) http://www.dhs.gov/xlibrary/assets/book.pdf [Accessed January 27, 2007], 2-9.

than twenty-two homeland security agencies under one cabinet-level department. Although there have been valid criticisms to the operation of DHS, very few individuals argue with the appropriateness of making one individual responsible for the overall mission of homeland security. At a minimum, the position of Secretary of Homeland Security has provided the administration with a continued reminder of the varied homeland security issues that face our country.

Aside from the creation of DHS, the most radical change since 9/11 has been the transformation of the FBI. As it developed into, arguably, the most professional law enforcement agency in the world, the FBI maintained a strong intelligence component. With the beginning of World War II, the FBI directed its resources toward combating subversion, sabotage and espionage. In 1940, President Roosevelt authorized the creation of the Special Intelligence Section (SIS) within the FBI. The SIS was tasked with the collection of intelligence in Latin America.[284] After the end of World War II, the FBI's intelligence focus shifted to the fight against communism and the Soviet Union. After the collapse of the Soviet Union, the FBI reallocated a large percentage of its intelligence cadre toward its law enforcement functions. As the events of 9/11 demonstrated, this was a mistake.

After 9/11, the FBI embraced the need to refocus its priorities. This was, admittedly, a result of public and administration pressure, as well as an internal understanding that the FBI faced a new adversary. In response, the FBI established the National Security Branch (NSB). The NSB includes the Counterterrorism Division, the Counterintelligence Division, the Directorate of Intelligence, and the Directorate of Weapons of Mass Destruction. These divisions are unified under an FBI executive assistant director.[285] By creating a clear chain of command, the FBI defined the roles and responsibilities of its national security entities. By transforming its structure, the FBI demonstrated its culture of preparedness and its commitment to the long-term goal of making the United States more secure.

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[284] The Federal Bureau of Investigation, "History of the FBI World War II Period: Late 1930s – 1945" (The FBI Website) http://www.fbi.gov/libref/historic/history/worldwar.htm [Accessed January 2, 2007].

[285] The Federal Bureau of Investigation, "National Security Branch" (The FBI Website) http://www.fbi.gov/hq/nsb/nsb.htm [Accessed February 20, 2008].

One of the key criticisms surrounding 9/11 was the perceived lack of communication in the homeland security community.[286]   In order to increase communication and cooperation, the FBI enhanced its Joint Terrorism Task Forces (JTTF). The FBI increased its Joint Terrorism Task Forces (JTTF) from a pre-9/11 level of thirty-four to a current total of eighty-four. JTTFs are made up of state, local and federal officers who work counterterrorism matters within the FBI.[287] JTTFs are housed within FBI space and are the key means by which the FBI conducts counterterrorism operations. These law enforcement officers are deputized as federal agents. This provides enhanced authority for state and local officers to participate in counterterrorist operations. The FBI views these JTTF members as case agents on most domestic counterterrorism investigations. Taskforce officers and FBI Special Agents are assigned similar investigations and operations. Very often, state and local taskforce officers are the lead investigators on critical counterterrorism investigations.

Obviously, taskforce members provide significant benefit to the FBI; however, they also provide equitable benefits to their home agencies. Taskforce officers receive training and experience that will be used to support the missions of their home agencies. Most significantly, the JTTF provides a means by which ongoing classified operations can be discussed and coordinated with state and local homeland security agencies. These agencies have an identified point-of-contact with whom they can address any concerns or issues.   These transformational changes have successfully refocused the FBI's abilities towards domestic intelligence collection.

In an attempt to correct perceived deficiencies, Congress enacted the Intelligence Reform and Prevention Act of 2004. [288]   The Act was intended "to reform the

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[286] National Commission on Terrorist Attacks Upon the United States, The 9/11 Commission Report (Washington, DC, July 22, 2004) http://www.9-11commission.gov/report/911Report.pdf [Accessed January 22, 2007].

[287] The Federal Bureau of Investigation, "Protecting America Against Terrorist Attack: A Closer Look at the FBI's Joint Terrorism Task Forces" (FBI Website, December 2004) http://www.fbi.gov/page2/dec04/jttf120114.htm [Accessed November 4, 2006].

[288] Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (Washington, DC) http://www.wmd.gov/about.html [Accessed January 21, 2007].

National Commission on Terrorist Attacks Upon the United States. (Washington, DC). http://www.9-11commission.gov/ [Accessed January 25, 2007].

intelligence community and the intelligence and intelligence-related activities of the United States Government.*" [289] The Act established the Office of the Director of National Intelligence (ODNI) and the National Counterterrorism Center.[290] These were developed to provide leadership, access and coordination for the components of the USIC. The ODNI, specifically NCTC, is the strategic coordinating entity charged with merging all facets of U.S. counterterrorism operations.   NCTC is designed to provide seamless integration of domestic and international counterterrorism intelligence.

In order to address the continued perception of a lack of coordination among federal, state and local homeland security components, many states have begun to independently develop homeland security-related fusion centers.   These fusion centers are designed to provide a central point for the integration and analysis of homeland security-related intelligence.[291]   Since 9/11, more than forty-eight fusion centers have been developed to assist state homeland security agencies in sharing information and intelligence among federal, state and local homeland security professionals. To ensure the viability and success of these fusion centers, DHS has provided more than $380 million in grants.[292]

These changes drastically enhanced the domestic U.S. counterterrorism apparatus. As a result, the domestic counterterrorism capabilities of the U.S. are adequately prepared to face the current domestic threat posed by radical Islamic terrorists. This is evident by the documented disruptions and arrests of the Lakawanna Six, the Portland Seven, Zacharias Moussai, the UK/U.S.airline plot and, most recently, the Fort Dix plot.

It is time to acknowledge our success in transforming the domestic counterterrorist capabilities of the U.S. In doing so, this will allow the counterterrorism

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[289] Intelligence Reform and Prevention Act of 2004. http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_cong_public_laws&docid=f:publ458.108 [Accessed January 21, 2007].

[290] Ibid.

[291] Bureau of Justice Assistance, Fusion Center Guidelines (Department of Justice) http://www.it.ojp.gov/topic.jsp?topic_id=209 [Accessed February 10, 2008].

[292] Department of Homeland Security, State and Local Fusion Centers (DHS website, September 14, 2006) http://www.dhs.gov/xinfoshare/programs/gc_1156877184684.shtm [Accessed February 6, 2008].

community to began to identify and assess the appropriate targets and processes, which will ensure the continued security of our homeland.

G.   CONCLUSION

If we are to expand upon our successes, the U.S. must recognize that the most significant threat is not the terrorists themselves, but the infrastructure that supports them. This infrastructure is a key component of an overall radical Islamic insurgency. We must alter our strategy to minimize this insurgency while we continue to fight the terrorists themselves.   Internally, we can rely on the successful changes in our domestic counterterrorism infrastructure. This shift will allow us to focus our targeting on the most significant threat: a foreign-based radical Islamic insurgency.

Respectfully,

Thomas J. Sobocinski

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